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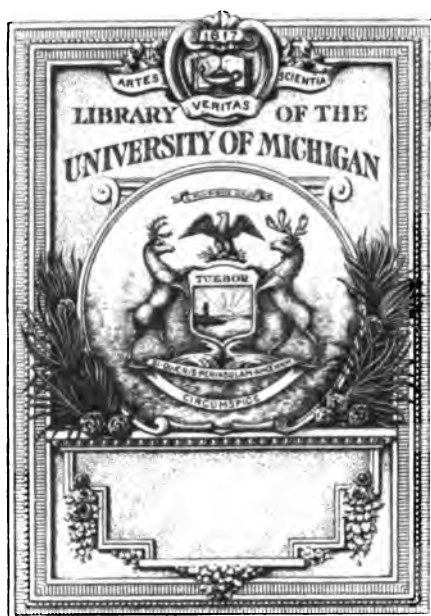
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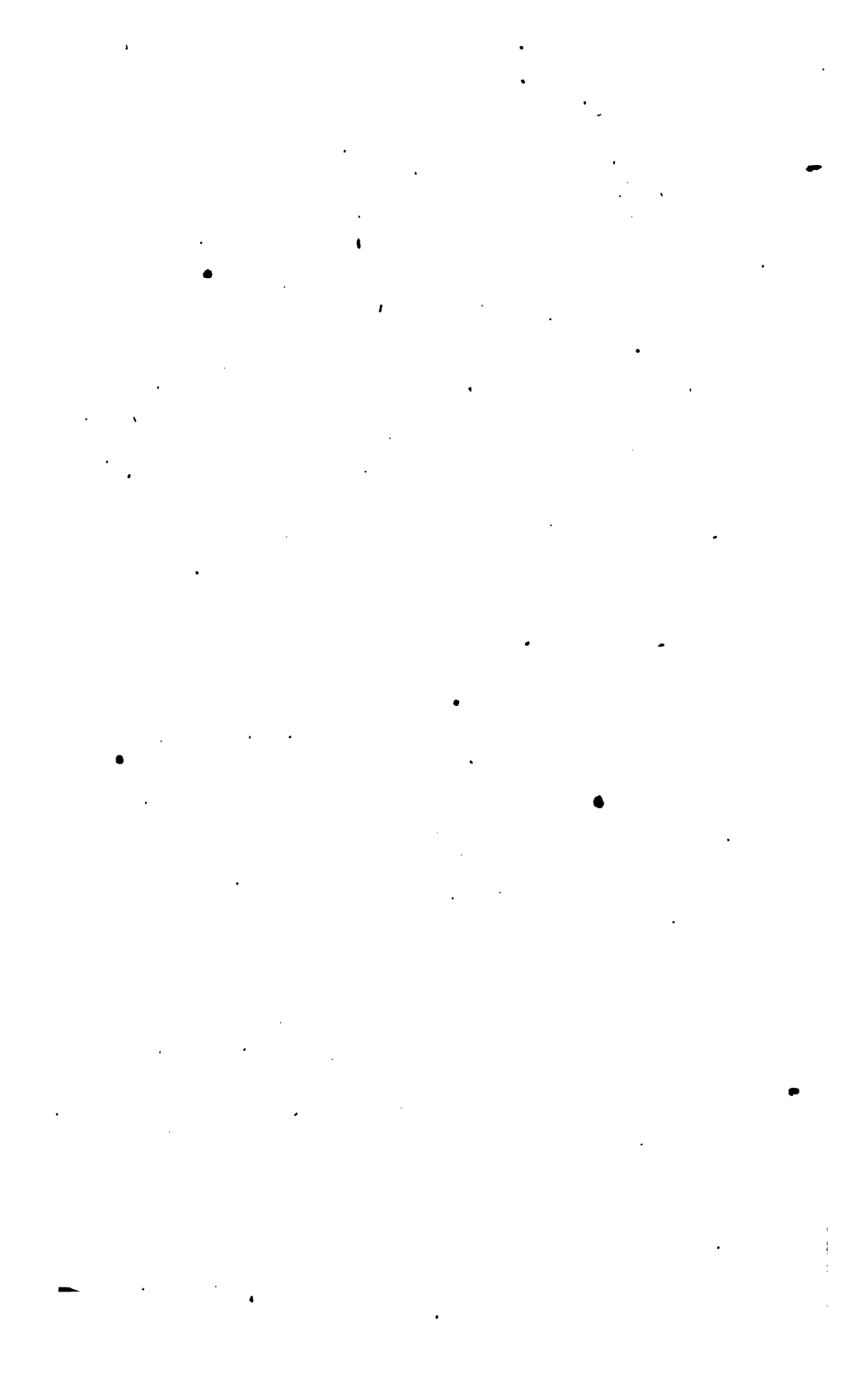






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JOURNAL
 OF THE
HOUSE OF REPRESENTATIVES
 OF THE
STATE OF MICHIGAN.

1861.

PRINTED BY VIRTUE OF AN ACT OF THE LEGISLATURE, UNDER THE DIRECTION AND
 SUPERVISION OF

EDWARD W. BARBER,
 CLERK OF THE HOUSE OF REPRESENTATIVES.

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**PART II.**  
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 LANSING:  
 Mosmer & Kerr, Printers to the State.  
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 1861.

THE UNIVERSITY OF CHICAGO

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## MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,  
Lansing, February 21, 1861. }

*To the Speaker of the House of Representatives :*

Sir:—I am instructed to return to the House the following entitled bill :

A bill to organize the township of Wisner ;

Which the Senate has amended by inserting, immediately after the word "east," in the second line, the words, "in the county of Tuscola," and also by adding the same words to the title;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The House concurred in the amendments made to the bill by the Senate, by the following vote :

## YEAS.

|              |              |                |
|--------------|--------------|----------------|
| Mr. Adams,   | Mr. Gregory, | Mr. Pringle,   |
| Alexander,   | A. L. Green, | Rankin,        |
| Atwood,      | N. K. Green, | Read,          |
| Baker,       | Hadley,      | Sessions,      |
| Beamer,      | Haire,       | Shank,         |
| Blakeslee,   | Henderson,   | Shanahan,      |
| Bunce,       | Hemingway,   | Smith,         |
| Chase,       | Hill,        | W. N. Stevens, |
| Childs,      | Hodges,      | A. Stevens,    |
| Choate,      | Howell,      | Stewart,       |
| Chapoton,    | Hurd,        | Stoddard,      |
| Cook,        | Jones,       | Strong,        |
| Cox,         | Joy,         | Tibbits,       |
| Crego,       | Kanouse,     | Toll,          |
| Cutcheon,    | Kelsey,      | Wallin,        |
| A. W. Davis, | Lockwood,    | Warner,        |
| C. Davis,    | Miller,      | Waterbury,     |
| Ira Davis,   | Morrison,    | T. M. Wilson,  |

Fallass,  
Follett,  
Foots,  
Fowle,  
Gilbert,  
Goodrich,

Moore,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,

J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker, 72

NAYS. 0

Also the following :

SENATE CHAMBER, }  
*Lansing, February 21, 1861.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following entitled bill :

A bill to amend an act entitled an act for the benefit of fractional school district No. 1 of Vassar, and No. 2 of Tuscola,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was read a first and second time, by its title, and referred to the committee on education.

Also the following :

SENATE CHAMBER, }  
*Lansing, February 21, 1861.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bill :

A bill to amend sections 8, 9, 16 and 18, of chapter 94, of the revised statutes of 1846, the same being chapter 118 compiled laws,

Which the Senate has amended by striking out of the interlineation in the third line the words "one hundred," and inserting "fifty" in lieu thereof ; also, by striking out the word "five," interlined in the fourth line, and inserting "ten." The Senate

has also amended the title by adding thereto the words : "relative to criminal proceedings before Justices of the Peace;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Sessions moved that the House concur in the amendments made to the bill by the Senate ;

Mr. Pringle called for a division of the question on the amendments.

The question being upon concurring in the first amendment, by striking out "one hundred," and inserting "fifty," it was not concurred in, by yeas and nays, as follows :

YEAS.

Mr. Cook,

Mr. Strong,

2

NAYS.

Mr. Adams,  
Atwood,  
Baker,  
Beamer,  
Blakeslee,  
Bunce,  
Childs,  
Choate,  
Cook,  
Cox,  
Grego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,

Mr. A. L. Green,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hill,  
Howell,  
Hurd,  
Jones,  
Kanouse,  
Kelsey,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,

Mr. Rankin,  
Reed,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Waterbury,  
T. M. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

The second named amendment, to strike out the word "five" and insert "ten," was concurred in, by yeas and nays, as follows:†

YEAS.

|                |              |                |    |
|----------------|--------------|----------------|----|
| Mr. Alexander, | Mr. Gregory, | Mr. Pringle,   |    |
| Atwood,        | A. L. Green, | Rankin,        |    |
| Baker,         | N. K. Green, | Sessions,      |    |
| Beamer,        | Hadley,      | Shank,         |    |
| Blakeslee,     | Haire,       | Shanahan,      |    |
| Bunce,         | Henderson,   | W. N. Stevens, |    |
| Childs,        | Hemingway,   | A. Stevens,    |    |
| Choate,        | Hill,        | Stewart,       |    |
| Chapoton,      | Hurd,        | Stoddard,      |    |
| Cook,          | Jones,       | Strong,        |    |
| Cox,           | Joy,         | Tibbits,       |    |
| Crego,         | Kanouse,     | Toll,          |    |
| Cutcheon,      | Kelsey,      | Wade,          |    |
| A. W. Davis,   | Leetch,      | Wallin,        |    |
| Ira Davis,     | Morrison,    | Waterbury,     |    |
| Fallass,       | Moore,       | T. M. Wilsen,  |    |
| Follett,       | Persons,     | Woodward,      |    |
| Foote,         | Peterson,    | Wright,        |    |
| Fowle,         | Phelps,      | Speaker,       |    |
| Goodrich,      | Piper,       |                | 59 |

NAYS.

|            |              |           |   |
|------------|--------------|-----------|---|
| Mr. Adams, | Mr. Gilbert, | Mr. Read, | 3 |
|------------|--------------|-----------|---|

The amendment to the title was agreed to.

Also the following :

SENATE CHAMBER, }  
Lansing, February 21, 1861. }

To the Speaker of the House of Representatives :

SIR:—I am instructed by the Senate to transmit the following entitled bill:

A bill to vacate a part of the village plat of Constantine, in the county of St. Joseph,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Also the following :

SENATE CHAMBER,  
*Lansing, February 21, 1861.* }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to transmit the following entitled bills :

A bill to vacate a part of the village plat of South Haven, in Van Buren county;

A bill to incorporate the city of Pontiac;

A bill relating to deposit accounts and to interest, exchange, and commission received or paid by the State Treasurer;

Joint resolution authorizing the State Treasurer to charge certain items to account suspense;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The third named bill was read a first and second time, by its title, and referred to the committee on ways and means.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

Also the following :

SENATE CHAMBER,  
*Lansing, February 21, 1861.* }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bill :

A bill to change the name of the town of Fremont, in the county of Alpena;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, January 21, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bill :

A bill to amend an act entitled, an act to provide punishment for fraudulently removing or embezzling property under chattle mortgages, approved Feb. 15th, 1859,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, February 21, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to re-transmit the following:

Joint resolution relative to the Agricultural College ;

And to inform the House that the Senate has adopted a substitute for the amendment of the House, in the words following:

"till such time as the board in control of the institution, at the adjournment of the legislature, shall determine ;"

In which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER

*Secretary of the Senate.*

Mr. Adams moved that the House concur in the amendment ;

Pending which motion,

On motion of Mr. Howell,

The joint resolution was laid on the table.

**MOTIONS, RESOLUTIONS AND NOTICES.**

Mr. Tibbits offered the following :

*Resolved*, That the memorial of Wm. Woodbridge, D. Thompson, F. E. Eldred, N. W. Brooks, Porter Kibbee and others, taxpayers of the City of Detroit, praying for relief from taxes and other burthens in the 9th ward of said city be printed.

Which was adopted.

Mr. Pringle moved to take from the table joint resolution, entitled

Joint resolution to provide for an amendment to the constitution relative to removals from office ;

Which motion prevailed.

Mr. Pringle moved that the joint resolution be placed on the order of third reading ;

Mr. Howell moved to lay the joint resolution on the table ;

Which motion did not prevail.

The question recurring upon placing the joint resolution on the order of third reading,

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

**YEAS.**

Mr. Fallass,  
Foote,  
Lockwood,  
Pringle,

Mr. Sessions,  
Shank,  
Smith,  
Stoddard,

Mr. Wallin,  
J. B. Wilson,  
Wright,

11

## NAYS.

|                |                  |               |
|----------------|------------------|---------------|
| Mr. Alexander, | Mr. A. L. Green, | Mr. Peterson, |
| Beamer,        | N. K. Green,     | Phelps,       |
| Blakeslee,     | Hadley,          | Piper,        |
| Chase,         | Haire,           | Pratt,        |
| Childs,        | Henderson,       | Ramsdell,     |
| Choate,        | Hemingway,       | Rankin,       |
| Cook,          | Hodges,          | Stewart,      |
| Cox,           | Howell,          | Strong,       |
| Crego,         | Hurd,            | Tibbits,      |
| C. Davis,      | Joy,             | Wade,         |
| Ira Davis,     | Kanouse,         | Warner,       |
| Follett,       | Kelsey,          | T. M. Wilson, |
| Fowle,         | Leetch,          | Winans,       |
| Gilbert,       | Moore,           | Woodward,     |
| Goodrich,      | Persons,         | Speaker,      |
| Gregory,       | Peters,          |               |

47

On motion of Mr. Pringle,

The joint resolution was referred to the committee of the whole, and placed on the general order.

Mr. Cutcheon moved to take from the table House bill, entitled

A bill to provide for an additional circuit court commissioner in certain cases;

Which motion prevailed.

Mr. Morrison moved to re-commit the bill to the committee on judiciary, with instructions to make the bill general in its character;

Mr. Alexander demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows :

## YEAS.

|              |                |               |
|--------------|----------------|---------------|
| Mr. Cox,     | Mr. Pratt,     | Mr. Toll,     |
| Fallass,     | Read,          | Wade,         |
| Gilbert,     | Sessions,      | Warner,       |
| Gregory,     | Smith,         | T. M. Wilson, |
| N. K. Green, | W. N. Stevens, | J. B. Wilson, |
| Hill,        | A. Stevens,    | Winans,       |
| Hodges,      | Stewart,       | Woodward,     |
| Hurd,        | Stoddard,      | Wright,       |
| Morrison,    | Tibbits,       |               |

26



## NAYS.

|              |              |            |
|--------------|--------------|------------|
| Mr. Adams,   | Mr. Fowle,   | Mr. Moore, |
| Alexander,   | Goodrich,    | Persons,   |
| Atwood,      | A. L. Green, | Peters,    |
| Baker,       | Hadley,      | Peterson,  |
| Beamer,      | Haire,       | Phelps,    |
| Blakeslee,   | Henderson,   | Piper,     |
| Bunce,       | Hemingway,   | Pringle,   |
| Childs,      | Howell,      | Rankin,    |
| Choate,      | Jones,       | Shank,     |
| Cook,        | Joy,         | Shanahan,  |
| Crego,       | Kanouse,     | Strong,    |
| Cutcheon,    | Kelsey,      | Wallin,    |
| A. W. Davis, | Leetch,      | Waterbury, |
| Ira Davis,   | Lockwood,    | Woodman,   |
| Follett,     | Miller,      | Speaker,   |
| Foote,       |              |            |

46

On motion of Mr. Howell,

The rules were suspended, and the bill put upon its final passage.

The bill, being House bill, entitled

A bill to provide for an additional circuit court commissioner, in certain cases,

Was read a third time, and, pending the taking of the vote,

Mr. Morrison moved to recommit the bill to the committee on judiciary with instructions to strike out the words "Berrien" and "Washtenaw," in the first section ;

Which motion did not prevail.

The question recurring upon the passage of the bill, it was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|            |              |             |
|------------|--------------|-------------|
| Mr. Adams, | Mr. Fowle,   | Mr. Phelps, |
| Alexander, | Gilbert,     | Piper,      |
| Atwood,    | Goodrich,    | Pratt,      |
| Baker,     | A. L. Green, | Pringle,    |
| Beamer,    | Hadley,      | Ramsdell,   |
| Blakeslee, | Henderson,   | Read,       |
| Bunce,     | Hemingway,   | Shank,      |
| Chase,     | Hodges,      | Shanahan,   |
| Childs,    | Howell,      | A. Stevens, |

Choate,  
Chapoton,  
Cook,  
Orego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Foote,

Jones,  
Joy,  
Kelsey,  
Leetch,  
Lockwood,  
Persons,  
Peters,  
Peterson,

Strong,  
Toll,  
Wade,  
Wallin,  
Winans,  
Woodman,  
Wright,

50

## NAYS.

Mr. Cox,  
A. W. Davis,  
Fallass,  
Follett,  
Gregory,  
N. K. Green,  
Haire,  
Hill,  
Hurd,

Mr. Kanouse,  
Miller,  
Morrison,  
Moore,  
Rankin,  
Sessions,  
Smith,  
W. N. Stevens,  
Stewart,

Mr. Stoddard,  
Tibbits,  
Warner,  
Waterbury,  
T. M. Wilson,  
J. B. Wilson,  
Woodward,  
Speaker,

26

Title agreed to.

Mr. Cutcheon moved that the bill be ordered to take immediate effect;

Mr. Morrison moved to lay the motion on the table;

Which motion did not prevail.

The question recurring upon ordering the bill to take immediate effect,

- Mr. Morrison demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, two-thirds of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,  
Atwood,  
Baker,  
Beamer,  
Blakeslee,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cutcheon,  
Cook,  
Orego,

Mr. Hadley,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Howell,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Persons,

Mr. Pringle,  
Ramsdell,  
Rankin,  
Shank,  
Shanahan,  
Smith,  
A. Stevens,  
Stoddard,  
Strong,  
Toll,  
Wade,  
Wallin,

Ira Davis,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
A. L. Green,

Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,

Waterbury,  
Winans,  
Woodman,  
Wright,  
Speaker,

52

## NAYS.

Mr. Adams,  
Cox,  
A. W. Davis,  
C. Davis,  
Fallass,  
Follett,  
Gregory,  
N. K. Green,

Mr. Haire,  
Hurd,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Read,  
Sessions,

Mr. W. N. Stevens,  
Stewart,  
Tibbits,  
Warner,  
T. M. Wilson,  
J. B. Wilson,  
Woodward,

23

Mr. Lockwood moved to reconsider the vote by which the House refused to order the bill to take immediate effect ;

Mr. Morrison moved to lay the motion to reconsider on the table ;

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows :

## YEAS.

Mr. Adams,  
Cox,  
A. W. Davis,  
C. Davis,  
Follett,  
Gregory,  
N. K. Green,

Mr. Haire,  
Hurd,  
Miller,  
Moore,  
Persons,  
Peterson,

Mr. Read,  
W. N. Stevens,  
Stewart,  
Tibbits,  
J. B. Wilson,  
Woodward,

19

## NAYS.

Mr. Alexander,  
Atwood,  
Baker,  
Beamer,  
Blakeslee,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cook,  
Crego,

Mr. Goodrich,  
A. L. Green,  
Hadley,  
Henderson,  
Hill,  
Hodges,  
Howell,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,

Mr. Pratt,  
Pringle,  
Rankin,  
Sessions,  
Shank,  
Shanahan,  
Stoddard,  
Strong,  
Toll,  
Wade,  
Wallin,  
Warner,

Cutcheon,  
Ira Davis,  
Fallass,  
Foote,  
Fowle,  
Gilbert,

Lockwood,  
Morrison,  
Peters,  
Phelps,  
Piper,

Waterbury,  
T. M. Wilson,  
Winans,  
Wright,  
Speaker,

52

Pending the motion to reconsider,

On motion of Mr. Cutcheon,

The House adjourned until this afternoon, at 2 o'clock.

#### AFTERNOON SESSION.

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called : quorum present.

Mr. Lockwood offered the following :

*Resolved*, That Messrs. Pringle and Cutcheon be a committee on the part of the House to inform the Senate that the House are now ready to meet them in joint convention.

Mr. Cutcheon moved to strike out "Mr. Cutcheon" and insert "Mr. Lockwood;"

Which motion prevailed.

The resolution as amended was then adopted.

After a short absence the committee returned, and announced that they had performed the duty assigned them, and that the Senate would immediately meet the House in joint convention.

Report accepted and committee discharged.

The Honorable Senators were soon thereafter announced, and were conducted to seats.

#### PROCEEDINGS IN JOINT CONVENTION.

The convention was called to order by Hon. James Birney, Lieutenant Governor, and President of the Senate.

The roll of the Senate was called by the Secretary of the Senate, and a quorum of the members were present.

The roll of the House was called by the Clerk of the House, and a quorum of the members were present.

The President of the Senate announced that the joint conven-

tion had assembled for the purpose of listening to the reading of Washington's Farewell Address, by His Excellency Governor Blair.

Senator Monroe moved that a committee of three, to consist of one member of the Senate and two of the House, be appointed to wait upon His Excellency Governor Blair, and inform him that the two Houses were assembled in joint convention, and were waiting his attendance to read the Farewell Address of George Washington ;

Which motion prevailed.

Senator Monroe, and Representatives Cutcheon and Atwood were appointed as such committee.

After a short absence the committee returned and reported that they had performed the duty assigned them, and announced His Excellency Governor Blair in attendance.

Thereupon, His Excellency, the Governor, read the Farewell Address of George Washington to the joint convention.

The address having been read,

Senator Williams offered the following :

*Resolved*, That the thanks of this joint convention be and the same are hereby tendered to his excellency, the Governor, for his acceptance of the invitation to read the Farewell Address of Washington, and for the appropriate manner in which he has performed the duty ;

Which was adopted.

The joint convention then adjourned *sine die*.

A. B. TURNER,

*Secretary of the Senate.*

ED. W. BARBER,

*Clerk of the House of Representatives,  
And Secretaries of the Joint Convention.*

The Senators having retired, the House was called to order by the Speaker.

Roll called : quorum present.

Mr. Morrison moved that the House adjourn ;

Which motion did not prevail.

The Speaker announced that the pending question at the time of the adjournment was upon the motion to reconsider the vote whereby the House refused to order to take immediate effect House bill, entitled

A bill to provide for the appointment of an additional circuit court commissioner in certain cases.

Mr. Morri-on demanded the yeas and nays upon the motion.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

## YEAS.

|            |              |             |
|------------|--------------|-------------|
| Mr. Adams, | Mr. Gilbert, | Mr. Peters, |
| Alexander, | Goodrich,    | Peterson,   |
| Atwood,    | A. L. Green, | Phelps,     |
| Baker,     | Hadley,      | Piper,      |
| Beamer,    | Henderson,   | Pratt,      |
| Blakeslee, | Hemingway,   | Pringle,    |
| Bunce,     | Hill,        | Shank,      |
| Chase,     | Hodges,      | Shanahan,   |
| Childs,    | Howell,      | Stoddard,   |
| Choate,    | Jones,       | Strong,     |
| Chapoton,  | Joy,         | Tibbits,    |
| Cook,      | Kelsey,      | Wade,       |
| Crego,     | Leetch,      | Wallin,     |
| Cutcheon,  | Lockwood,    | Waterbury,  |
| Ira Davis, | Miller,      | Wetherby,   |
| Fallass,   | Moore,       | Winans,     |
| Foote,     | Persons,     | Speaker,    |
| Fowle,     |              |             |

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## NAYS

|                  |                |               |
|------------------|----------------|---------------|
| Mr. A. W. Davis, | Mr. Kanouse,   | Mr. Stewart,  |
| C. Davis,        | Morrison,      | Toll,         |
| Follett,         | Rankin,        | T. M. Wilson, |
| Gregory,         | Read,          | Woodman,      |
| N. K. Green,     | Sessions,      | Woodward,     |
| Haire,           | Smith,         | Wright,       |
| Hurd,            | W. N. Stevens, |               |

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Pending the announcement of the vote,

Mr. Howell moved that Mr. Fallass be excused from voting;  
Which motion did not prevail.

Mr. Fallass then voted as recorded above.

Mr. Howell moved that Mr. C. Davis be excused from voting;  
Which motion did not prevail.

Mr. C. Davis then voted as recorded above.

Mr. Pratt moved that the subject be made the special order of to-morrow morning at 5 o'clock;

Which motion did not prevail.

The question recurring upon ordering the bill to take immediate effect,

Mr. Jones demanded the previous question.

The demand was seconded, and the main question ordered.

The motion to order the bill to take immediate effect prevailed, two thirds of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

|              |                  |              |
|--------------|------------------|--------------|
| Mr. Adams,   | Mr. N. K. Green, | Mr. Pringle, |
| Alexander,   | Hadley,          | Sessions,    |
| Atwood,      | Henderson,       | Shank,       |
| Baker,       | Hemingway,       | Shanahan,    |
| Beamer,      | Hill,            | Smith,       |
| Blakeslee,   | Hodges,          | Stoddard,    |
| Bunce,       | Howell,          | Strong,      |
| Chase,       | Jones,           | Tibbits,     |
| Childs,      | Joy,             | Toll,        |
| Chapoton,    | Kanouse,         | Wade,        |
| Cook,        | Kelsey,          | Wallin,      |
| Crego,       | Leetch,          | Warner,      |
| Cutcheon,    | Lockwood,        | Waterbury,   |
| Ira Davis,   | Moore,           | Wetherby,    |
| Foote,       | Persons,         | Winans,      |
| Fowle,       | Peters,          | Woodman,     |
| Gilbert,     | Peterson,        | Wright,      |
| Goodrich,    | Phelps,          | Speaker,     |
| A. L. Green, | Piper,           |              |

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#### NAYS.

|              |            |                |
|--------------|------------|----------------|
| Mr. Choate,  | Mr. Haire, | Mr. Rankin,    |
| Cox,         | Hurd,      | Read,          |
| A. W. Davis, | Miller,    | W. N. Stevens, |
| C. Davis,    | Morrison,  | Stewart,       |
| Follett,     | Pratt,     | J. B. Wilson,  |
| Gregory,     | Ramsdell,  | Woodward, 18   |

Pending the announcement of the vote,

Mr. Howell moved that Mr. Ramsdell be excused from voting;

Which motion did not prevail.

Mr. Ramsdell then voted as recorded above.

Mr. Jones moved that Mr. Strong be excused from voting ;  
Which motion did not prevail.

Mr. Strong then voted as recorded above.

Mr. Howell moved that the House adjourn ;  
Which motion did not prevail.

Mr. Lockwood moved to take from the table House bill No. 10, entitled :

A bill to amend section 1 of an act entitled "an act to amend chapter 150 of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salary of Judges of Probate ;"

Which motion prevailed.

On motion of Mr. Lockwood,

The bill was referred to the committee of the whole and placed on the general order.

Mr. Lockwood moved to take from the table House bill No. 57, entitled

A bill in relation to the collection of recognizances in criminal cases ;

Which motion prevailed.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

Mr. Lockwood moved to take from the table House bill, entitled

A bill to compensate the Detroit Bar Library, for the use of their Library by the judges of the supreme court ;

Which motion prevailed.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

Mr. Lockwood moved to take from the table House bill, entitled

A bill to amend section 25, of chapter 153, of the revised statutes of 1846, the same being section 5735 of the compiled laws of 1857, as amended by act No. 189, of the session laws of 1859 ;

Mr. Howell demanded the yeas and nays.



The demand was seconded.

Pending the taking of the vote,

Mr. Morrison moved a call of the House ;

Which motion prevailed.

Upon the call of the roll by the clerk, Messrs. Hemingway,  
Read, A. Stevens and Wheeler, were reported absent.

On motion of Mr. Howell,

All further proceedings under the call were dispensed with.

Mr. Tibbits demanded the previous question.

The demand was seconded, and the main question ordered.

The question being upon taking the bill from the table, the  
motion prevailed, by yeas and nays, as follows :

#### YEAS.

|                |                  |            |
|----------------|------------------|------------|
| Mr. Alexander, | Mr. A. L. Green, | Mr. Pratt, |
| Atwood,        | Hadley,          | Shank,     |
| Beamer,        | Haire,           | Smith,     |
| Bunce,         | Henderson,       | Stewart,   |
| Chase,         | Hurd,            | Strong,    |
| Choate,        | Joy,             | Toll,      |
| Chapoton,      | Leetch,          | Wade,      |
| Cook,          | Lockwood,        | Warner,    |
| Cutcheon,      | Morrison,        | Waterbury, |
| Ira Davis,     | Persons,         | Winans,    |
| Gilbert,       | Peters,          | Woodard,   |
| Goodrich,      | Peterson,        | Wright,    |
| Gregory,       | Phelps,          |            |

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#### NAYS.

|              |                  |                |
|--------------|------------------|----------------|
| Mr. Adams,   | Mr. N. K. Green, | Mr. Rankin,    |
| Baker,       | Hill,            | Sessions,      |
| Blakeslee,   | Hodges,          | Shanahan,      |
| Childs,      | Howell,          | W. N. Stevens, |
| Cox,         | Jones,           | Stoddard,      |
| Crego,       | Kanouse,         | Tibbits,       |
| A. W. Davis, | Kelsey,          | Wallin,        |
| C. Davis,    | Miller,          | Wetherby,      |
| Fallass,     | Moore,           | T. M. Wilson,  |
| Follett,     | Piper,           | J. B. Wilson,  |
| Foote,       | Pringle,         | Woodman,       |
| Fowle,       | Ramsdell,        | Speaker,       |

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Mr. Lockwood moved that the bill be ordered printed, refer-

Mr. Cutcheon then moved that the bill be made the special order for Wednesday evening next, at 7½ o'clock;

Which motion prevailed.

On motion of Mr. Kelsey,

The House adjourned till to-morrow morning at 9 o'clock.

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*Lansing, Saturday, February 23, 1861.*

House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Gillett.

Roll called: quorum present.

Absent at roll call without leave, Messrs. Chapoton and Peters.

Mr. Fowle asked and obtained leave of absence for Mr. Peters or an indefinite time, on account of sickness.

PETITIONS PRESENTED.

By Mr. Phelps: petition of Wm. Bostwick and 20 others, for the passage of a law to prevent the adulteration of coal oil;

Referred to the committee on agriculture and manufactures.

By Mr. Hurd: remonstrance of C. P. Dibble, A. O. Hyde, and 200 others, citizens of Calhoun county, against any alteration of the law for the encouragement of agriculture, &c.

On motion of Mr. Hurd,

The remonstrance was referred to the committee on agriculture and manufactures, and the body of the same ordered printed in the journal.

The following is the remonstrance:

*To the Honorable the Legislature of the State of Michigan:*

The undersigned, citizens of Calhoun county, respectfully remonstrate against the repeal or alteration of the act for encouragement of agriculture, manufactures, &c., approved March 16, 1849, and amendatory thereto, approved February 6, 1855. The first Agricultural Society of Calhoun county, as well as those of several other counties, in view of that act, and relying

on the aid in consequence thereof, have purchased grounds, put up buildings and made other improvements, thereby creating a debt which will in a few years be easily paid, and the societies be placed on a firm and successful basis, provided the acts remain as they are ; but we think the result arising from the amendments asked for by a few disorganizers in our county would be to create or encourage division, and ultimately to destroy, or at least very much injure, the present existing societies.

By Mr. Choate : remonstrance of D. S. Flint, S. S. Potter, John F. Post, and 30 others, citizens of Monroe county, against the passage of a law to prohibit fishing with pond nets in the waters of this State ;

Referred to the committee on State affairs.

By Mr. Blakeslee : remonstrance of the officers of the Oakland County Agricultural Society, against any change in the law authorizing the boards of supervisors to raise money for the support of the same ;

Referred to the committee on agriculture and manufactures.

By Mr. Gregory : remonstrance of Wm. S. Maynard, L. Davis, E. W. Morgan, James Kingsley, and 200 others, citizens of Washtenaw county, against the repeal or alteration of the act for the encouragement of agriculture, manufactures, &c., approved March 16, 1849, and an act amendatory thereto, approved February 6, 1855.

On motion of Mr. Gregory,

The remonstrance was referred to the committee on agriculture and manufactures, and the body of the same ordered printed in the journal.

The following is the remonstrance:

*To the Hon. the Legislature of the State of Michigan:*

The undersigned, citizens of Washtenaw county, respectfully remonstrate against the repeal or alteration of the act for encouragement of agriculture, manufactures, &c., approved March 16, 1849, and amendatory thereto, approved February 6, 1855. The first agricultural society of Washtenaw county, as well as those of several other counties, in view of that act, and relying

on the aid in consequence thereof, have purchased grounds, put up buildings and made other improvements, thereby creating a debt which will in a few years be easily paid, and the societies be placed on a firm and successful basis provided the acts remain as they are; but we think the result arising from the amendments asked for by a few disorganizers in our county would be to create or encourage division and ultimately to destroy, or at least very much injure the present existing societies.

By Mr. W. N. Stevens: remonstrance of J. F. Miller, E. Lawrence, Wm. F. Breakey, Wm. M. Sinclair, and 112 others, citizens of Wastenaw county, against the repeal or alteration of the act for the encouragement of agriculture, manufactures, &c.;

Referred to the committee on agriculture and manufactures.

Mr. Cutcheon moved that the body of the remonstrance be ordered printed in the journal;

Which motion did not prevail.

#### REPORTS OF STANDING COMMITTEES.

By the committee on judiciary :

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend an act entitled an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1849, chapter 141, compiled laws,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend chapter 17 of the compiled laws, and an act,

amendatory thereto, approved Feb. 4, 1858, by adding a new section thereto, to be numbered section 159,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the judiciary committee:

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend section 364, of chapter 10, of the compiled laws, relative to the compensation of supervisors,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to provide for referring orders in chancery,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to provide for compensation for improvements made upon lands sold under legal proceedings in certain cases,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was laid on the table.

By the judiciary committee:

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend section 93 of an act to provide for holding general and special elections, approved June 27, 1851, relative to the fees of county clerks and district canvassers,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred House bill, entitled

A bill giving to circuit courts jurisdiction by information in the nature of a *quo warranto* in certain cases,

Respectfully report that they have had the said bill under consideration, return the same to the House, with the accompanying amendments, recommending that the amendments be con-

carred in and that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Sessions,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the judiciary committee:

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to abolish the office of district attorney in the Upper Peninsula,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was referred to the committee of the whole, and placed on the general order.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to provide for women's rights,

Respectfully report that they find the said bill ably drawn, and that it comprises all the legislation necessary on the subject. They therefore recommend that the bill do pass, without amendment, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Childs,

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements :

The committee on internal improvements have had under consideration

A bill to authorize the transfer by the board of control, of a grant of land made to this State by an act of Congress, passed June 3, 1856, to aid in the construction of a railroad from Marquette, on Lake Superior, to the Wisconsin State line, and the re-location of the same,

Have instructed their chairman to report the same back without amendment, recommend that it do pass, and ask to be discharged from the further consideration of the same.

ALONZO SESSIONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Sessions,

The bill was placed on the order of third reading.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was re-committed

A bill to provide for certain alterations of the Pontiac and Grand River State road,

Have had the same under consideration, and to which they have made amendments as instructed by the House, so as to make the bill applicable to the township of Springfield, Oakland county, only.

Your committee have also had under consideration a remonstrance of Alonzo Furguson and others, against the passage of the above named bill, which, together with information otherwise obtained, have instructed me to report adverse to the passage of the same.

All of which is respectfully submitted.

N. K. GREEN, *Chairman.*



Report accepted and committee discharged.

On motion of Mr. Green,

The House concurred in the amendments made by the committee.

On motion of Mr. Green,

The bill was laid on the table.

By the committee on towns and counties :

The committee on towns and counties, to whom was referred

A bill to amend section 2, of an act entitled an act to revise the charter of the city of Grand Rapids, approved February 14, 1857,

Have had the bill under consideration, and after mature deliberation thereon are fully convinced that rural meadows, garden patches, and heavy timbered lands ought not to be taxed as city property, unless laid out into parks or city lots, and as that portion of the city proposed by the amendment is poetically termed rural meadows and garden patches, your committee are of the opinion that it does not properly belong to the city, and for the purpose of confining that city within proper limits, your committee recommend the passage of the bill without amendment, and ask to be discharged from the further consideration of the subject.

JOHN B. WILSON, *Chairman.*

Report accepted and committee discharged.

Mr. Gilbert moved that the bill be placed on the order of third reading ;

Which motion did not prevail.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

Joint resolution authorizing the State Treasurer to charge certain items to suspense account,

Have considered the same, and have instructed me to report

it back, recommend its passage, and ask to be discharged from the further consideration of the same.

**JAMES F. JOY, *Chairman.***

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill, entitled

A bill relating to deposit accounts, and to interest, exchange, and commission, received or paid by the State Treasurer,

Have considered the same and have made a slight amendment thereto, herewith submitted, and when so amended recommend its passage, and ask to be discharged from the further consideration of the same.

**JAMES F. JOY, *Chairman.***

Report accepted and committee discharged.

On motion of Mr. Sessions,

The House concurred in the amendment made by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill authorizing the Auditor General to return to Robert P. Sinclair the moneys received for the redemption of certain lands sold for taxes,

Have considered the same, and recommend its passage and ask to be discharged from the further consideration of the same.

**JAMES F. JOY, *Chairman.***

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to provide for the trial of State officers for offenses against the State;

Have considered the same, and made some amendments thereto, and as amended, recommend its passage, and ask to be discharged from the further consideration of the same.

J. F. JOY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Sessions,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means :

The committee on ways and means, to whom was referred

A bill to provide for the establishment of a Female College as a branch of the University of Michigan,

Have had the same under consideration, and have instructed me to report the same back to the House without recommendation, and ask to be discharged from the further consideration of the same.

JAMES F. JOY, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment :

The committee on engrossment and enrollment report as correctly enrolled, signed and presented to the Governor, the following entitled bills :

A bill to amend an act entitled an act to incorporate the city of Ann Arbor, approved April 4, 1851 ;

Also,

A bill to change the name of the township of Fremont, in the county of Alpena ;

Also,

A bill to amend an act entitled an act to provide punishment for fraudulently removing or embezzling property under chattel mortgages, approved February 15th, 1859;

Also,

A bill to organize the township of Wisner, in the county of Tuscola.

A. L. GREEN, *Chairman*.

Report accepted.

REPORTS OF SELECT COMMITTEES.

[The following is the report of Mr. Hill, submitted on February 19th, mentioned in the journal of that date as being deferred on account of the inability of the printers to publish it.]

The select committee to whom was referred

A bill to amend chapter 75 of the compiled laws, and to provide for the homeopathic department in the University of Michigan,

With instructions to report thereon for the information of the House upon the subject to which the bill relates, has had the same under consideration, and in obedience to said instructions, begs leave to report :

When the medical department of the University was organized, the homeopathic science was not sufficiently known in this State, and had not a sufficient number of patrons and practitioners to entitle it to so much consideration at the hands of the people, as to call for the opening of a department, and the establishment of professorships for teaching its doctrines and practice. It was in this country comparatively new, feeble and unknown.

The case is now very different. There are at this time over 120 Homeopathic physicians in this State, (besides a large number of Allopathists who desire this measure,) and it cannot be denied that they will compare, in point of intelligence, moral worth and scientific attainments, most favorably with the same

number of men in any of the liberal professions. In point of skill and success in accomplishing the object of the medical profession, to wit: in the cure of diseases, they stand pre-eminent. The patrons of the 120 Homeopathsists, numbering, doubtless, over 200,000 of the people of this State—at least one-third of the whole population—are in all sections, beyond cavil, most substantial and intelligent citizens. It is not a system that addresses itself to the low and vulgar, to the ignorant and sensual, but to the temperate, cautious, close observing, investigating and intelligent minds.

It is fit and proper, it is for the interest of the people and the prosperity of the Institution, that what is true, philosophical and most useful in medical science and practice, should be fully and fairly presented. The student who resorts to the University for his professional training should have, and has a right to demand, instruction in the most improved, safe and certain mode of relieving distress and removing disease. When this can be done so conveniently and so cheaply as it can by the arrangement now proposed, it is the part of wisdom and of justice to do it; even if the number of people and physicians demanding it was not one-tenth what it really is.

The necessity of a *separate department* for instruction in the homeopathic *materia medica*, and homeopathic theory and practice, arises from the fact that the manner of ascertaining the effects of remedies and their relation to diseased conditions of the human system, as well as the law that guides in their practical application, is essentially different from that of the old school; and as abundant experience has shown, is and will remain *necessarily* so, as long as there are any old school teachers; for whatever physician once thoroughly informs himself by critical study and proper practical application of the homeopathic system and remedies, becomes at once a homeopathist, and of necessity ceases to be any longer an old school teacher. It is by such study, and honest practicable investigation that the number of homeopathic physicians has so largely increased in this coun-

try, a large portion of them having been educated in the old school and having pursued its practice for many years.

None are qualified to *teach* the homeopathic science and practice, but those who have had experience in their application for years in the cure of disease. Hence the necessity of a separate department in the University.

From the fact that the homeopathic *law* constitutes the law of curative medication, homeopathy might justly and properly claim the right to absorb the whole department, to the exclusion of the old system. But as the departments of anatomy, physiology, pathology, practical surgery, obstetrics and chemistry, are the same in both schools, it makes no practical difference whether the chairs in these departments are filled with homeopaths or allopaths; and as there are yet, and probably will be for some time to come, many in our State who have faith in allopathy, or at least are unacquainted with homeopathy, and hence have little faith therein, we deem it no more than just to such that they should be represented in the University, as well as homeopaths. But if either is to have the exclusive right, it is most certainly the part of wisdom and humanity to give it to that party which has the true philosophy, and is the most eminently successful in the cure of disease; to promote which, should be the great end and aim of such a department in the University. It certainly would be no more than just to give each of the systems a fair representation in the chairs common to both, but we do not claim even that; as the sciences they teach are none the less true or valuable to the homeopathist because they come from one of different medical faith. Homeopaths do occupy such chairs in allopathic colleges, and no inconvenience or hardship grows out of it.

The students of homeopathic physicians, as well as others who desire instruction in homeopathy in this State, are now obliged to go to distant States for collegiate instruction in the science, and are necessarily put to extraordinary expense. This ought not to be, and under the arrangement proposed will be •

obviated, while no difficulty or hardship can arise from the change, all being left free to attend the lectures or not as they choose.

We are not ignorant of the fact that persons uninformed and persons misinformed, as well as those whose interest it is to remain in ignorance and to misrepresent the homeopathic system, look upon it as unworthy of patronage and support.

In view of this state of things, and in order to throw light upon the subject for the benefit of the uninformed in relation thereto, and to disabuse the minds of those who have been prejudiced against the science by ignorant or unscrupulous opponents of the system; we propose, as briefly as practicable, to show that it is advocated and patronized by many of the most learned and scientific men of the present age.

That the position we claim in the University is not a novelty in the history of such Institutions, but that such departments are at this time in successful operation, and have been for several years, in some of the best Universities in the world.

That homeopathic departments have been established and are maintained in a large number of the public hospitals in Europe and some in America.

That a large number of the government, court and army physicians in Europe are homeopathists.

That the proportion of cures, in all forms of disease, both in Europe and America, is very largely in favor of the homeopathic practice, and that in public institutions the expenses are vastly less under the homeopathic than under the allopathic treatment.

There are now homeopathists occupying chairs in twenty-six allopathic Universities in Europe, known in the scientific circles as formerly allopathic physicians of high standing. Many of them have separate departments, as proposed in our University.

## HOMŒOPATHIC PROFESSORS IN UNIVERSITIES.

1. Dr. Henderson, Professor of Medicine and General Pathology, in the University of Edinburgh, and lately one of the Professors of Clinical Medicine.

2. Dr. Macdonald, Professor of Civil and Natural History, in the University of St. Andrews.

3. Dr. J. W. Arnold, Professor of Theory and Practice of Medicine in the University of Zurich.

4. Dr. Bigel, Professor of Midwifery in the University of St. Petersburg.

5. Dr. H. Arnith, Professor of Midwifery in the General Hospital of Vienna.

6. Dr. T. Buchner, Professor of Homœopathy in the University of Munich.

7. Dr. Botto, Professor of Surgery in the University of Genoa.

8. Dr. Chevalier de Horatiis, Professor of the Theory and Practice of Medicine in the University of Naples, and President of the Royal Academy of Medicine.

9. Dr. Edward Martin, Professor of Theory and Practice of Medicine in the University of Jena.

10. Dr. J. A. Weber, Professor of Theory and Practice of Medicine in the University of Freyburg.

11. Dr. Janer, Dean of Faculty and Professor of Clinical Medicine, University of Barcelona.

12. Dr. Lambrecht, Professor of Theory and Practice of Medicine in the University of Padua.

13. Dr. Folch, Professor of Pathology in the University of Barcelona.

14. Dr. Quadri, Professor of Ophthalmic Surgery, Naples.

15. Professor Leupoldt, of the University of Munich.

16. Dr. Reubel, Professor in the University of Munich,

And twenty-eight other Professors in various Colleges and Hospitals of Europe and America.



## GOVERNMENT ACTION ON HOMŒOPATHY.

The Chambers of the Kingdom of Bavaria, of the Grand Duchy of Baden, and other German States have authorized Professorships of Homœopathy in the public Universities.

The Imperial Government of Austria has instituted a Professorship of Homœopathy, and has sanctioned the establishment of Homœopathic Hospitals in Vienna, in Hungary, and in other parts of its dominions.

The French Government has recently established a department of Homœopathy in the University of Paris, and Dr. Oharg'e, a well known Homœopathist, has been appointed Professor.

Among the European court and army Homœopathic Physicians, we will mention:

1. Dr. Aegidi, Physician to H. R. H. Princess Wilholm of Prussia.

2. Dr. Atmuller, Surgeon to H. S. H. the Grand Duke of Hesse.

3. Dr. Backhausen, Physician to H. R. H. the Pricess Frederick of Prussia.

4. Dr. Cramer, Physician to H. R. H. the Grand Duke of Baden.

5. Dr. Goullon, Physician to H. R. H. the Grand Duke of Weimar.

6. Dr. Hartung, "Medicin en Chef" of the Austrian army in Italy—was Physician to H. I. M. the Empress Marie Louisa.

7. Dr. Kuntsmann, Physician to Prince Von Reuss at Ebersdorf.

8. Dr. Kurtz, Physician to H. S. H. the Duchess of Anhalt Dessau, Princess of Prussia.

9. Dr. Lehman, Physician to H. S. H. the Duke of Anhalt Kœthen.

10 Dr. Marenzeller (Phycian General to the Austrian Armies), Physician to H. I. H. Archduke John of Austria.

11. Dr. Quin, Physician Extraordinary to the King of Belgians, Physician in Ordinary to H. R. H. the Duchess of Cambridge.

12. Dr. Necker, Physician Extraordinary to H. M. the King of Prussia.

13. Dr. Nunez, Physician to Her Most Catholic Majesty the Queen of Spain, Chevalier of the Order of Charles III. and of the Legion of Honor.

14. Dr. Schmidt, Physician to H. S. H. the Duke of Lucca.

15. Dr. Stapf, Physician to H. S. H. the Duke of Saxe-Meiningen.

17. Dr. Weber, Physician to His Majesty the King of Hanover.

18. Dr. Tessier, Physician to the Empress Eugenie of France.

#### HOMŒOPATHIC HOSPITALS AND DISPENSARIES.

London Homœopathic Hospital, 200 beds.

Metropolitan Homœopathic Hospital.

Homœopathic Hospital of Moscow.

Infantry Homœopathic Hospital at St. Petersburg.

Gumpendorf Hospital, Vienna.

Homœopathic Hospital, Turin.

Miskoltz Homœopathic Hospital, Russia.

Homœopathic Clinique, Leipzig.

Homœopathic Wards in Hospital Beaujon, Paris.

Calcutta Native Hospital.

Homœopathic Hospital at Leipzig.

Sisters of Charity Hospital, at Vienna.

Leopoldstadt Hospital, at Vienna.

Sisters of Charity, at Linz.

Hospital of Gyongyos, Hungary.

Hospital of Guns, Hungary.

Hospital at Kremiseir, Russia.

Hospital at Nechanitz, Russia.

Hospital at Nishni-Novogorod, Russia.

Hospital at Cronstadt, Russia.

Berlin Homœopathic Hospital.

Mississippi State Hospital.

Protestant Half Orphan Asylum, N. Y.

## Brooklyn City Orphan Asylum.

The statistics of 21 Allopathic and 17 Homeopathic Hospitals in Europe, under the patronage of the several governments, running through a series of years, show the average mortality to be as follows :

In Allopathic Hospitals, a fraction less than 12 per cent.

In Homeopathic, a fraction less than 6 per cent.\*

In one Hospital, for example, in Hungary, during five years of Allopathic treatment, there were 622 cases and ninety deaths, nearly 16 per cent.

During 11 years of Homeopathic treatment, in the same Hospital, there were 1538 cases treated, and 143 deaths, about 9 per cent., making a difference of 7 deaths in every 100 cases against the old school.

The highest mortality in any year of homeopathic treatment was less than the lowest of the allopathic.

## \*EUROPEAN ALLOPATHIC HOSPITALS.

| <i>Place and name of Hospital.</i>              | <i>Per cent.</i> | <i>Mortality.</i> |
|-------------------------------------------------|------------------|-------------------|
| 1. Berlin, Charité, 1838-9,.....                | 10               | to 11             |
| 2. Breslau Zu Allerheiligen, 1838,.....         | 17               | " 12              |
| 3. Leipzig, Jacob's Hospital, 1839,.....        | 11               | " 12              |
| 4. Stuttgart, Catharinen, 1830-38,.....         | 3                | " 4               |
| 5. Strasburg Forget's Clinique, 1836-38,.....   | 15               | " 16              |
| 6. Hamburg, Allg. Krankenhaus, 5th Report,..... | 6                | " 7               |
| 7. Munich General Hospital, 1832,.....          | 7                | " 8               |
| 8. Milan Great Hospital, 1814,.....             | 15               | " 16              |
| 9. Palermo " 1822,.....                         | 12               | " 13              |
| 10. Brussels, St. Peter's Hospital,.....        | 11               | " 12              |
| 11. St. Petersburg, Civil, 1837,.....           | 20               | " 21              |
| 12. " Seidnitz, Clinique, 1840,.....            | 13               | " 14              |
| 13. Vienna General Hospital, 1834,.....         | 13               | " 14              |
| 14. " Brothers' of Charity, 1833,.....          | 9                | " 10              |
| 15. " Elizabethen, 1833,.....                   | 8                | " 9               |
| 16. Edinburgh Royal Infirmary, 1818,.....       | 6                | " 7               |
| 17. London, St. George's, 1850-56,.....         | 13               | " 14              |
| 18. Lyons Hotel Dieu, 1837,.....                | 13               | " 14              |
| 19. Paris " 1835,.....                          | 9                | " 10              |
| 20. " St. Marguerite, 1851-2,.....              | 11               | " 12              |
| 21. " Val de Grace, under Broussais, 1819,..... | 7                | " 8               |
| Average,.....                                   | 11               | to 12             |

## EUROPEAN HOMCEOPATHIC HOSPITALS.

| <i>Name and place of Hospital.</i>                  | <i>Cases Treated.</i> | <i>Deaths.</i> | <i>Per cent</i> |
|-----------------------------------------------------|-----------------------|----------------|-----------------|
| 1. Sisters of Charity, at Vienna, 1834 to '56,..... | 17,313                | 1,067          | 6 2-10          |
| 2. " " at Lins, 1843-4-56,.....                     | 9,129                 | 501            | 5 5-10          |
| 3. Hospital at Gyogyos in Hungary to 1855,.....     | 1,538                 | 142            | 9 2-10          |
| 4. " " at Gum " to 1841,.....                       | 395                   | 8              | 2               |
| 5. " at Kremsier 1846 to '48,.....                  | 1,520                 | 94             | 6 1-10          |
| 6. Leopoelsadt Hospital at Vienna, 1850-4,.....     | 3,789                 | 211            | 5 5-10          |
| 7. Hospital at Nechanitz, 1846-48,.....             | 394                   | 10             | 2 5-10          |
| 8. " Nishni-Novogorod in 1855,.....                 | 249                   | 12             | 4 8-10          |
| 9. " at Leipzig, Prussia,.....                      | 4,408                 | 153            | 4 1-10          |
| 10. Infantry Hospital at St. Petersburg,.....       | 397                   | 16             | 4               |

In the London *Homeopathic Hospital* the average per cent of deaths was 4½. In St. George (Allopathic) Hospital, 18 per cent. In the Convent of Refuge, at Marseilles, a statistical table of all cases treated since its foundation shows, during the 8 years of allopathic treatment: cases treated, 1,851; number of deaths, 102—5½ per cent. During the 5 years of homeopathic treatment, cases treated, 1,662; deaths, 49—2 9-10 per cent.\*

It is sometimes said that though homeopathy may do for children and for trifling diseases, in the more grave and fatal complaints the large Allopathic dose are required.

In answer to this suggestion we will introduce a table of

| Name and place of Hospital.                                      | Cases Treated. | Deaths. | Per cent. |
|------------------------------------------------------------------|----------------|---------|-----------|
| 11. Maronceller's Experiments at Military Hospital at Vienna,... | 88             | 1       | 2 7-10    |
| 12. Hospital at Moscow in 1864,.....                             | 166            | 8       | 4 8-10    |
| 13. Herman's Experiments at the Military Hospital at Tulzen, ..  | 147            | 6       | 4 1-10    |
| 14. London Homeopathic Hospital, 1860-66,.....                   | 1,172          | 55      | 4 7-10    |
| 15. Horatilis' Experiments at Naples, 1829,.....                 | 68             | 2       | 3         |
| Sum total,.....                                                  | 39,911         | 2,214   | 5 7-10    |

To show that many of the cases were of the more severe and dangerous diseases, the Specifications of the Gumpendorf Homeopathic Hospital of Vienna, in charge of the Sisters of Charity, is subjoined:

| Diseases.                      | Cases. | Deaths.      | Per cent. |
|--------------------------------|--------|--------------|-----------|
| Diarrhoea of all kinds,.....   | 323    | 3            | 1         |
| Inflammation of Lungs,.....    | 1,058  | 48           | 4 1-2     |
| Typhus Fever, (Abnormal),..... | 3,165  | 368          | 11 2-4    |
| Erysipelas,.....               | 514    | 4            | 4-5       |
| Inflammation of Joints,.....   | 888    | 7            | 3-7       |
| Ophthalmia,.....               | 120    | One uncured. |           |
| Intermittent Fever,.....       | 1,066  | 9            | 2-10      |
| Gastric Fever,.....            | 1,181  | 7            | 2-3       |
| Rheumatic Pericarditis,.....   | 16     | 0            |           |
| Small Pox,.....                | 194    | 14           | 7 1-2     |

These results compare most favorably with any Hospital Reports ever made, and their accuracy cannot be questioned, since this Hospital is under strict Governmental supervision, and is constantly visited by Allopathic Physicians. It is under charge of Dr. Fleischmann, assisted until within a few years by Dr. Caspar, and the accuracy of their diagnosis no one will dispute.

\*Dr. Charge, of Marseilles, France, has lately published a Statistical Table of the Mortality occurring in the Convent of Refuge since its foundation in 1841, up to 1864:

| ALLOPATHIC. |        |         |           | HOMEOPATHIC. |        |         |           |
|-------------|--------|---------|-----------|--------------|--------|---------|-----------|
| Years.      | Cases. | Deaths. | Per Cent. | Years.       | Cases. | Deaths. | Per Cent. |
| 1841        | 142    | 10      | 7         | 1850         | 328    | 5       | 4 4-10    |
| 1842        | 136    | 17      | 12 3-10   | 1851         | 318    | 10      | 3 1-10    |
| 1843        | 189    | 13      | 6 9-10    | 1852         | 322    | 12      | 3 7-10    |
| 1844        | 296    | 9       | 4 1-10    | 1853         | 334    | 10      | 3 9-10    |
| 1845        | 248    | 10      | 4 4-10    | 1854         | 360    | 12      | 3 3-10    |
| 1846        | 274    | 15      | 5 4-10    |              |        |         |           |
| 1847        | 327    | 14      | 4 2-10    |              |        |         |           |
| 1848        | 325    | 14      | 4 3-10    |              |        |         |           |
|             | 1,851  | 102     | 5 1-10    |              | 1,662  | 49      | 2 9-10    |

Average Homeopathic mortality, 2 9-10 per cent.  
Average Allopathic mortality, 5 3-10 per cent

these grave diseases treated in the Hospital Ste. Marguerite, at Paris. In 1849, 1850 and 1851 this Hospital was divided between Allopathic and Homeopathic Physicians, treating their cases side by side at the same time. Dr. Tessair was the Homeopapist in charge. In the Homeopathic wards, during these three years, there were treated, by Homeopaths, 4,655 cases, with a mortality of  $8\frac{1}{2}$  per cent; by Allopathists, 3,724 cases, with a mortality of 11  $\frac{3}{10}$ .

Of the dangerous diseases, to wit:

|                                                                     | Homeopathic. | Allopathic. |
|---------------------------------------------------------------------|--------------|-------------|
| <i>Pneumonia</i> (infl. of lungs) the mortality was as follows..... | 5 7-10 p. c. | 24 p. c.    |
| <i>Pleuritis</i> ( <i>Pleurisy</i> ) .....                          | 3            | 13 "        |
| <i>Peritonitis</i> .....                                            | 4            | 13 "        |
| <i>Dysentery</i> .....                                              | 3            | 22 "        |
| <i>Typhus Abdominalis</i> .....                                     | 15           | 19 "        |

Finally, in the *Homeopathic* European Hospitals, as reported by Dr. Ruth, in a work published in London in 1852, the summary shows the average mortality in all diseases, to be 4  $\frac{4}{10}$  per cent.; and in *Allopathic* European Hospitals, 8  $\frac{5}{10}$  per cent.

In the three great Hospitals of Massachusetts, of New York and the Bellevue Hospital, the average mortality is 10 per cent., as appears by the official reports.

#### YELLOW FEVER.

The Mississippi State Hospital, at Natches, is now under Homeopathic treatment.

While under Allopathic treatment, of Drs. L. P. and E. M. Blackburn, the average mortality was 55 per cent.

Under Drs. Holcomb and Davis, Homeopaths:

In 1853, cases treated, 555—deaths, 33

" 1854, " 112 " 00

" 1855, " 349 " 22

1016

55—per cent., 5  $\frac{4}{10}$ .

Thus, Allopathic mortality, 55 per cent.

Homeopathic mortality, 5  $\frac{4}{10}$  per cent.

In Rio de Janiero, Dr. Martin (Homeopathist) treated 3556 cases, lost 227—7 per cent.

In New Orleans, Allopathic mortality 20 to 30 per cent.

In Barbadoes, 50 per cent.

#### TYPUS FEVER.

In the Vienna General Hospital, (Allopathic,) the deaths were an average of 21 6-10 per cent.

In the Paragua Hospital, 2d division, the experiment was tried of expectant or do-nothing treatment—average mortality 17 5-10 per cent.

In the Vienna Homeopathic Hospital, the average per cent. of mortality was 10 6-10.\*

Thus it stands in Typhus fever :

|                                                    |     |
|----------------------------------------------------|-----|
| Allopathy, out of every 100, lost over.....        | 21. |
| Expectant, or do-nothing treatment, lost over..... | 17  |
| Homeopathic lost.....                              | 10. |

Homeopathy saved seven out of every hundred, who would have died without any treatment, while under allopathic treatment, four died who would have recovered had nothing been done; and eleven died who would have recovered under the homeopathic practice.

\*The following statistics are taken from a work entitled "Comparison of Homeopathy and Allopathy, by Dr. Caspar, Physician to the Hospital of the Honorable Sisters of Charity of Vienna: Vienna and Olmutz, 1866:"

#### STATISTICS OF TYPHUS FEVER.

##### 1st. ALLOPATHIC—In the Vienna General Hospital :

|            | Cases. | Deaths. | Per cent. |
|------------|--------|---------|-----------|
| 1850,..... | 872    | 144     | 16 6-10;  |
| 1852,..... | 461    | 133     | 27        |
| 1853,..... | 1,119  | 259     | 23 1-10   |
|            | 2,452  | 536     | 21 6-10.  |

##### 2d. EXPECTANT, (Do-nothing)—In Second Division of Prague Hospital :

|            | Cases. | Deaths. | Per cent. |
|------------|--------|---------|-----------|
| 1849,..... | 132    | 37      | 28 4-10   |
| 1850,..... | 96     | 14      | 23 4-10   |
|            | 228    | 40      | 17 6-10   |

##### 3d. HOMEOPATHIC—In Vienna Homeopathic Hospital :

|            | Cases. | Deaths. | Per cent. |
|------------|--------|---------|-----------|
| 1850,..... | 81     | 9       | 11 1-10   |
| 1851,..... | 80     | 10      | 12 5-10   |
| 1852,..... | 121    | 11      | 9         |
|            | 282    | 30      | 10 6-10   |

## ASIATIC CHOLERA.

Dr. Wilde, editor of the "Doublin Quarterly Journal of Medicine," says: "In comparing the reports of the Allopathic and Homeopathic Hospital treatment of cholera in Vienna, it will be seen that, while in the Homeopathic Hospitals  $\frac{1}{3}$  were cured, in the Allopathic,  $\frac{1}{3}$  died. This Homeopathic Hospital was daily visited by two allopathic physicians, appointed inspectors, who confirmed these reports."

Dr. F. H. Horner,\* Vice President of the British Medical and Surgical Association, &c, &c., says that the statistical report of the cholera epidemic in England, shows that under homeopathy  $\frac{1}{3}$  were cured; under allopathy  $\frac{1}{3}$  died.

In 7 Allopathic Hospitals in Europe, on the Continent, out of 1969 cases treated for Cholera, 1097 died—average of 54 per cent.

In 6 Homeopathic Hospitals, out of 1818 cases treated for Cholera, 501 died, an average of 27 per cent—just one half the Allopathic mortality.

In London (St. George's) Hospital, the-mortality was 50 per cent.†

In New York Hospitals it was 53 per cent.

\*"Reasons for adopting the Rational System of Medicine," by Fewster Robert Horner, M.D. late President and Perpetual Vice President of the British Medical and Surgical Association; late Senior Physician to the Hull General Infirmary, &c., London, 1857. It is a significant fact that in 1861, before he had investigated Homeopathy, Dr. Horner presided over a meeting of 200 medical men at Brighton, which passed resolutions strongly denunciatory of that system; and now, in 1857, after investigating it, he announces himself a convert to the Homeopathic doctrine;

## †SUMMARY OF EUROPEAN HOSPITAL TREATMENT OF CHOLERA.

| HOMEOPATHIC.                                    |        |                    |  |
|-------------------------------------------------|--------|--------------------|--|
| Place and Name.                                 | Cases. | Deaths.            |  |
| 1. Vienna Sisters of Charity, 1834 to 1850..... | 1,202  | 409                |  |
| 2. Vienna Leopoldstadt.....                     | 156    | 53                 |  |
| 3. Berlin Homeopathic Hospital,.....            | 32     | 6                  |  |
| 4. Bordeaux Hospital, by Dr. Mabit, 1832.....   | 131    | 6                  |  |
| 5. Marselles "Convict and Refuge," 1849.....    | 260    | 15                 |  |
| 6. London Homeopathic Hospital, 1864.....       | 87     | 7                  |  |
|                                                 | 1,818  | 501 per cent. 27   |  |
| ALLOPATHIC.                                     |        |                    |  |
| Place and Name.                                 | Cases. | Deaths.            |  |
| 1. Edinburgh, Drummond Street Hospital.....     | 461    | 291                |  |
| 2. Halle Krunkenberg's Wards.....               | 104    | 53                 |  |
| 3. Hamburg Hospital, 1831.....                  | 233    | 173                |  |
| 4. Berlin Cholera Hospital, 1831.....           | 97     | 67                 |  |
| 5. St. Petersburg, by Dr. Lichenstadt.....      | 686    | 314                |  |
| 6. Bordeaux Hospital, 1832.....                 | 104    | 72                 |  |
| 7. Brest, " ".....                              | 224    | 129                |  |
|                                                 | 1,969  | 1,097 per cent. 54 |  |

General average of *Homeopathic Hospital* treatment

of Cholera—loss of ..... 27 per cent.  
 And of Allopathic—loss of..... 54 “

In the cholera epidemic of 1849, at Cincinnati, the average mortality in *Hospital practice* was over 60 per cent, and in private practice between 30 and 40 per cent.

The 11 Homeopathic Physicians then resident in that city treated 2,410 cases of cholera, and lost 85 in all,—just 3 per cent. Out of 104 families belonging to the congregation of Rev. B. F. Barrett, as reported by that gentleman *from actual personal visits and inquiry after the epidemic had ceased*, 86 families used and relied on Homeopathic treatment; 13 used and relied on Allopathic, and 4 Eclectic treatment. The 86 Homeopathic families numbered 476 persons, and had 160 cases of cholera. The 13 Allopathic families numbered 74 individuals, and had 25 cases of cholera. Of the 160 cases treated Homopathically *one* only died—a mortality of two-thirds of one per cent. Of the 25 cases treated Allopathically five died—a mortality of 20 per cent.

These, both the allopathic and homeopathic families, all belonged to the higher classes, who were temperate, prudent, and able to take the best care of themselves, and improve the earliest opportunities to call in aid. The homeopathic families, nearly all used the homeopathic medicines as prophylactics, or preventives, and these when attacked were more easily cured; while the allopathic families, if they did use the ordinary preventives of that school, as stimulants and the like, were less susceptible to the influence of remedies.

## CHILDREN.

In Lake & Watt's orphan asylum, of N. Y., (allopathic) from 1852 to 1854 inclusive, they had 2213 children, of whom 41 died—1 in 54.

In the Protestant Half Orphan Asylum, N. Y., (homeopathic) from 1852 to 1854 inclusive, (same time) they had 3,075 children, of whom 21 died—1 in 146. Showing a ratio of mortality



under allopathy, as compared with homeopathy, as  $2\frac{1}{2}$  to  $\frac{1}{2}$  of one per cent.\*

Finally, we find in summing up the whole matter of *Hospital* practice that in all diseases where the Allopathist loses an average of.....11 to 12 per cent.

The Homeopathist loses ..... 5 to 6 “

In *Asiatic Cholera* where the Allopathist loses 54 “

The Homeopathist loses.....27 “

In *Pneumonia* (inflammation of the lungs),

where the Allopathist loses.....14 to 24 “

the Homeopathist loses..... 5 to 6 “

In *typhus fever* where the Allopathist loses..21 to 22 “

“ “ the Homeopathist loses.....10 to 11 “

In *yellow fever* where the Allopathist loses..50 to 55 “

In “ “ the Homeopathist loses..... 5 to 7 “

\* The Homoeopathic Statistics in regard to adults in general, and individual diseases having been shown, the results of that treatment in the affections to which childhood is peculiarly subject will now be considered. The “Report of Homoeopathic treatment in the Protestant *Infant Orphan Asylum* of New York,” by D. F. Bowers, is referred to. The number of children in the several asylums being taken from a table furnished by A. Gilbert, Esq., from the Reports made annually, under oath, to the Board of Education of the State of New York:

LEAKE AND WATERS' ORPHAN ASYLUM—ALLOPATHIC.

|                               | Whole No. of Children. | Deaths. | Mortality. |
|-------------------------------|------------------------|---------|------------|
| For 10 years ending 1852..... | 1,088                  | 23      | 1 in 73    |
| For the year 1853,.....       | 262                    | 12      | 1 in 22    |
| “ 1854,.....                  | 263                    | 6       | 1 in 44    |
|                               | 2,213                  | 41      | 1 in 54    |

PROTESTANT INFANT ORPHAN ASYLUM—HOMOEOPATHIC.

|                               | Whole No. of Children. | Deaths. | Mortality. |
|-------------------------------|------------------------|---------|------------|
| For 10 years ending 1852..... | 2,542                  | 21      | 1 in 121   |
| For the year 1853,.....       | 575                    | 0       |            |
| “ 1854,.....                  | 257                    | 0       |            |
|                               | 3,075                  | 21      | 1 in 146   |

The “NURSERY,” at Randall's Island, under Allopathic treatment:

| Years.     | Whole No. of Children. | Deaths. | Mortality. |
|------------|------------------------|---------|------------|
| 1853,..... | 3,540                  | 49      | 1 in 39    |
| 1854,..... | 2,590                  | 205     | 1 in 13    |
| 1855,..... | 2,375                  | 202     | 1 in 11    |
| 1856,..... | 2,021                  | 96      | 1 in 21    |
|            | 10,126                 | 556     | 1 in 17    |

The “HOME FOR THE FRIENDLESS,” under Homoeopathic treatment?

| Years.     | Whole No. of Children. | Deaths. | Mortality. |
|------------|------------------------|---------|------------|
| 1853,..... | 240                    | 6       | 1 in 41    |
| 1854,..... | 230                    | 13      | 1 in 21    |
| 1855,..... | 280                    | 5       | 1 in 72    |
| 1856,..... | 306                    | 9       | 1 in 61    |
|            | 1,210                  | 30      | 1 in 40    |

Showing the ratio of mortality under Allopathic treatment, as compared with Homoeopathic, to be  $2\frac{1}{2}$  to 1

Or a mortality of 5.6-10 per ct. among those treated Allopathically.

“ “ 2.5-10 “ “ “ Homoeopathically.

In Orphan Asylums where the Allopathist loses 24-10 per cent.

In " " the Homeopathist loses..  $\frac{3}{4}$  of 1 "

In *private practice* of cholera cases where the

Allopathist loses.....30 to 40 "

The Homeopathist ..... 3 to 7 "

These statistics are all taken from official documents in the possession of your Committee, and are perfectly reliable.\*

In conclusion;

When we consider the fact that, according to the United States Census statistics of 1850, over 75 per cent of all the deaths were children under five years old, in connection with the fact that up to that date only a small number of Homeopathic Physicians had been in practice in this country, together with the fact shown by official statistics that the mortality among *children* under the old practice is nearly three times that under Homeopathy (as  $2\frac{3}{4}$  to  $\frac{3}{4}$  of one per cent), when we consider that in violent and dangerous diseases the mortality under Allopathy is from two to ten times as great as under Homeopathy, when we consider that under Allopathy the duration of disease is nearly double, in all cases, what it is under Homeopathy, and the expenses attending it are nearly twice as great;† when we consider the value of human health and human life and the deep interest all feel in them and in the means of promoting the one and saving the other, is it surprising that we should demand that while we provide largely for education in the less successful mode, a part of the advantages of such provision should be devoted to instructions in that practice which

\* The authorities for the European Hospital Reports are to be found in the following works -

Knolz's "Charitable Institutions" of Vienna.  
Grisevalch's Hygiee.  
Cless' Statistics the of Catharinnen Hospital at Stuttgart.  
Journal Imp. Med. Chir. Acad. of St. Petersburg.  
British Journal of Homoeopathy.  
Allg. Hom. Zeitschrift.  
British and Foreign Medico-Chirurgical Review  
Neues Archives.  
Oesterreich Zeitschrift.  
Homoeopathic Vierteljahrsschrift.  
Stapel's Archives der Hom. Heilk.  
North American Journal of Homoeopathy.  
Neue Zeits fur Hom. Klinik.

† The duration of Pneumonia was particularly noted by Drs. Taster, Henderson, Dietl, and Louis, whose authority has already been given.

These show the mean duration of Pneumonia to be, under Homoeopathic treatment, 119 days; Allopathy, 29 days; Expectant, 28 days.

has been crowned with the greatest success, and is the result of a science founded upon a natural law as certain and invariable as that which attracts the falling apple to the earth, or points the needle to the polar star.

While we will not say that the old practice does not often cure disease, it cannot be denied that its administration is frequently an uncertain experiment, fraught with more or less danger to the life or future health of the patient, and, occasionally followed by fatal effects. On the other hand, abundant and overwhelming testimony of the past, and every day's experience and observation of thousands among the most intelligent, at the present time, lead to the irresistible conclusion that Homeopathy does remove disease more readily, and that, too, with far more certainty than the other system, while all agree that its administration is attended with no danger, even to the most feeble and sensitive constitutions.

Its philosophy is founded upon a natural law of the relation of drug action to human organization and vital functions. It is true, it is uniform and beneficent in its results. Its patrons, who demand its recognition and establishment in the University, are largely from the most intelligent and respectable classes everywhere. Confidence in its efficacy and success, and a settled conviction of its truth, has spread, especially among the higher classes, with a rapidity unparalleled in the history of medicine, and it has long since ceased to be looked upon as an experiment; but is recognized as a settled and distinct science.

Why, then, any longer withhold it from the students of our State University? Why oblige such as seek for its truths and a knowledge of its practical application in their efforts to relieve from distress and save life, to go to distant States at great expense to obtain them? Why not open the halls of our Oblige to these great truths that so deeply interest us all?

Entertaining implicit confidence in the justice and propriety of the measure contemplated in the Bill, the Committee report.

it back without amendment and recommend its passage, and ask to be discharged from further consideration of the subject

B. L. HILL, *Select Committee.*

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following :

EXECUTIVE OFFICE,  
Lansing, February 21, 1861. }

*To the House of Representatives :*

The Board of Control of the Saint Mary's Falls Ship Canal, acknowledge the receipt of the resolution of your Honorable Body, requesting certain information concerning the Canal, its gross receipts and expenditures. The Canal was opened June 18, 1855, and the reports of the Superintendent for the time being will furnish most of the information sought, for each year since that time. A table is herewith transmitted, showing the gross receipts up to Nov. 30, 1860, together with the expenditures for that period, so far as the same can be ascertained. The items composing the aggregate of expenditures may be found in the monthly statements required of the Superintendent, but are too voluminous to be embodied here. I take this opportunity to transmit to the Legislature the annual report of the Superintendent for the year 1860. Also a statement of receipts and expenses from the books of the Auditor General's office.

AUSTIN BLAIR.

Laid on the table.

On motion of Mr. Toll,

The report of the Superintendent of the St. Mary's Canal, with the accompanying documents, were ordered printed.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Phelps offered the following :

*Resolved*, That the Sergeant at-Arms and his assistant, be hereby instructed to preserve order in this Hall during this session.

: Which was adopted.

Mr. Shank moved to take from the table House bill No. 110, entitled

A bill to provide the Auditor General's office with recorded plats of cities, villages and towns;

Which motion prevailed.

On motion of Mr. Howell,

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Tibbits offered the following :

*Resolved*, (the Senate concurring,) That the Legislature of Michigan, now in session, adjourn *sine die* on Thursday, the 14th day of March, A. D. 1861, at 12 o'clock M.

Laid on the table under the rules.

Mr. Childs moved to take from the table joint resolution, entitled

A joint resolution relative to the agricultural college ;

Which motion prevailed.

The question then recurring upon the adoption of the amendment made to the joint resolution by the Senate, by striking out the words "until the 20th day of March next," and inserting in lieu thereof the following: "till such time as the board in control of the institution, at the adjournment of the Legislature, shall determine,"

The amendment was concurred in, by yeas and nays, as follows:

#### YEAS.

|            |                |                |
|------------|----------------|----------------|
| Mr. Adams, | Mr. Henderson, | Mr. Sessions,  |
| Alexander, | Hemingway,     | Shank,         |
| Baker,     | Hill,          | Shanahan,      |
| Beamer,    | Howell,        | Smith,         |
| Bunce,     | Hurd,          | W. N. Stevens, |
| Chase,     | Joy,           | A. Stevens,    |
| Childs,    | Kanouse,       | Stewart,       |
| Choate,    | Kelsey,        | Stoddard,      |
| Cook,      | Lockwood,      | Tibbits,       |
| Crego,     | Miller,        | Toll,          |
| C. Davis,  | Morrison,      | Wade,          |
| Ira Davis, | Moore,         | Wallin,        |
| Follett,   | Persons,       | Warner,        |
| Foots,     | Peterson,      | Waterbury,     |
| Gilbert,   | Phelps,        | T. M. Wilson,  |
| Goodrich,  | Piper,         | J. B. Wilson,  |

Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Haire,

Pratt,  
Pringle,  
Ramdell,  
Rankin,  
Read,

Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

63

## NAYS.

Mr. Atwood,  
Blakeslee,

Mr. Cutcheon,

Mr. Hodges,

4

## THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Senate bill, entitled

A bill compelling mining companies in the Upper Peninsula of Michigan to file with the county treasurer of the county in which they are doing business, a list of their stockholders, and the amount of the indebtedness of the companies,

Being under consideration,

By unanimous consent the following words were stricken out at the end of the bill: "This act shall be enforced from and after its passage."

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Adams,  
Alexander,  
Atwood,  
Baker,  
Beamer,  
Blakeslee,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cook,  
Grego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Fallass,  
Follett,

Mr. A. L. Green,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hodges,  
Howell,  
Hurd,  
Jones,  
Joy,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peterson,  
Piper,

Mr. Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,

Foots,  
Gilbert,  
Gregory,

Pringle,  
Rankin,  
Read,

Wright,  
Speaker,

62

## NAYS.

Mr. Hill,  
Kanouse,

Mr. Kelsey,  
Ramsdell,

Mr. Waterbury,

5

The question being upon agreeing to the title,

Mr. Warner moved to strike out the words, "the Upper Peninsula of Michigan," and insert in lieu thereof the words "this State;"

Which motion prevailed.

The title, as amended, was then agreed to.

House bill No. 84, entitled

A bill to provide for holding inquests on the view of dead bodies within the cities of this State by the coroners of the counties in which they are situate,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Blakeslee,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cook,  
Cox,  
Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Follett,  
Foots,  
Gilbert,  
Goodrich,  
Gregory,

Mr. Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hill,  
Howell,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peterson,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,  
Rankin,

Mr. Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,

A. L. Green,  
N. K. Green,

Read,

Speaker,

67

NAYS.

9

Title agreed to.

On motion of Mr. Lockwood,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 37, entitled

A bill in relation to the collection of recognizances in criminal cases;

Was read a third time, and a majority of all the members elect not voting therefor, was not passed, by yeas and nays, as follows:

YEAS.

Mr. Baker,  
Beamer,  
Blakeslee,  
Bunce,  
Chase,  
Childs,  
Choate,  
Grego,  
Cutcheon,  
Ira Davis,

Mr. Follett,  
Goodrich,  
A. L. Green,  
Joy,  
Lockwood,  
Miller,  
Peterson,  
Sessions,  
Shank,  
Smith,

Mr. W. N. Stevens,  
Stoddard,  
Strong,  
Tibbits,  
Toll,  
Wallin,  
Woodward,  
Wright,  
Speaker,

39

NAYS.

Mr. Adams,  
Alexander,  
Atwood,  
Cook,  
Cox,  
A. W. Davis,  
C. Davis,  
Foote,  
Gilbert,  
Gregory,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,

Mr. Hemingway,  
Hill,  
Howell,  
Hurd,  
Jones,  
Kanouse,  
Kelsey,  
Leetch,  
Morrison,  
Moore,  
Persons,  
Piper,  
Pratt,  
Pringle,

Mr. Ramsdell,  
Rankin,  
Read,  
Shanahan,  
A. Stevens,  
Stewart,  
Wade,  
Warner,  
Waterbury,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,

41

Mr. Pringle moved to reconsider the vote whereby the House refused to pass the bill.



Mr. C. Davis moved to lay the motion to reconsider on the table.

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

## YEAS.

|              |                |               |
|--------------|----------------|---------------|
| Mr. Atwood,  | Mr. Hemingway, | Mr. Ramsdell, |
| A. W. Davis, | Howell,        | Shanahan,     |
| C. Davis,    | Jones,         | A. Stevens,   |
| Foote,       | Morrison,      | Wade,         |
| N. K. Green, | Piper,         | T. M. Wilson, |
| Hadley,      | Pratt,         |               |

17

## NAYS.

|                |                  |                |
|----------------|------------------|----------------|
| Mr. Alexander, | Mr. A. L. Green, | Mr. Sessions,  |
| Baker,         | Henderson,       | Shank,         |
| Beamer,        | Hill,            | Smith,         |
| Blakeslee,     | Hodges,          | W. N. Stevens, |
| Brownell,      | Hurd,            | Stewart,       |
| Bunce,         | Joy,             | Stoddard,      |
| Chase,         | Kanouse,         | Strong,        |
| Childs,        | Leetch,          | Tibbitts,      |
| Choate,        | Lockwood,        | Toll,          |
| Cook,          | Miller,          | Wallin,        |
| Cox,           | Moore,           | Warner,        |
| Crego,         | Persons,         | Waterbury,     |
| Cutcheon,      | Peterson,        | Winans,        |
| Ira Davis,     | Phelps,          | Woodman,       |
| Follett,       | Pringle,         | Woodward,      |
| Fowle,         | Rankin,          | Wright,        |
| Gilbert,       | Read,            | Speaker,       |
| Goodrich,      |                  |                |

52

The question recurring upon the motion to reconsider the vote whereby the House refused to pass the bill,

Mr. Howell demanded the yeas and nays.

The demand was seconded.

Mr. Sessions demanded the previous question.

The demand was seconded, and the main question ordered.

The motion to reconsider prevailed, by yeas and nays, as follows:

## YEAS.

|                |            |               |
|----------------|------------|---------------|
| Mr. Alexander, | Mr. Fowle, | Mr. Sessions, |
| Baker,         | Goodrich,  | Shank,        |

Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cook,  
Crego,  
Cutcheon,  
Ira Davis,  
Follett,

Gregory,  
A. L. Green,  
Hadley,  
Henderson,  
Hodges,  
Joy,  
Lockwood,  
Miller,  
Peterson,  
Phelps,  
Pringle,  
Rankin,

Smith,  
W. N. Stevens,  
Stewart,  
Strong,  
Tibbits,  
Toll,  
Wallin,  
Winans,  
Woodward,  
Wright,  
Speaker,

41

## NAYS.

Mr. Adams,  
Atwood,  
Cox,  
A. W. Davis,  
C. Davis,  
Foote,  
Gilbert,  
N. K. Green,  
Haire,  
Hemingway,

Mr. Hill,  
Howell,  
Hurd,  
Jones,  
Kanouse,  
Kelsey,  
Leetch,  
Morrison,  
Moore,  
Persons,

Mr. Pratt,  
Ramsdell,  
Read,  
A. Stevens,  
Stoddard,  
Wade,  
Waterbury,  
T. M. Wilson,  
Woodman,

29

Mr. Alexander moved to re-commit the bill to the committee on the judiciary,

Mr. Howell moved to indefinitely postpone the whole subject.

Mr. Howell demanded the yeas and nays.

The demand was not seconded.

The motion to indefinitely postpone did not prevail.

The question recurring upon the motion to recommit, the motion prevailed, and the bill was recommitted to the committee on judiciary.

House bill, entitled

A bill to compensate the Detroit Bar Library, for the use of their Library by the judges of the supreme court,

Was read a third time, and two-thirds of all the members elect not voting therefor, was not passed, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,  
Atwood,

Mr. Howell,  
Kelsey,

Mr. A. Stevens,  
Stoddard,

|              |           |               |
|--------------|-----------|---------------|
| Beamer,      | Leetch,   | Strong,       |
| Brownell,    | Peterson, | Tibbits,      |
| Cutcheon,    | Phelps,   | Toll,         |
| Foote,       | Pratt,    | Warner,       |
| Goodrich,    | Ramsdell, | T. M. Wilson, |
| A. L. Green, | Rankin,   | Winans,       |
| Hadley,      | Shank,    | Wright,       |
| Hill,        | Smith,    | Speaker, 30   |

## NAYS.

|              |              |                |
|--------------|--------------|----------------|
| Mr. Adams,   | Mr. Fowle,   | Mr. Moore,     |
| Baker,       | Gilbert,     | Persons,       |
| Blakeslee,   | Gregory,     | Pringle,       |
| Chase,       | N. K. Green, | Read,          |
| Childs,      | Haire,       | Sessions,      |
| Choate,      | Henderson,   | Shanahan,      |
| Cook,        | Hemingway,   | W. N. Stevens, |
| Cox,         | Hodges,      | Stewart,       |
| Crego,       | Hurd,        | Wade,          |
| A. W. Davis, | Jones,       | Wallin,        |
| C. Davis,    | Kanouse,     | Waterbury,     |
| Ira Davis,   | Miller,      | Woodman, 33    |
| Follett,     | Morrison,    |                |

Pending the announcement of the vote,

Mr. Morrison moved that Howell be excused from voting ;

Which motion did not prevail.

Mr. Howell then voted as recorded above.

Mr. Cutcheon moved that Mr. Pratt be excused from voting ;

Which motion did not prevail.

Mr. Pratt then voted as recorded above.

Mr. Alexander moved that Mr. Ramsdell be excused from voting ;

Which motion did not prevail.

Mr. Ramsdell then voted as recorded above.

Mr. Morrison moved to reconsider the vote whereby the House refused to pass the bill.

Mr. A. W. Davis moved to lay the motion to reconsider on the table ;

Which motion prevailed.

House bill No. 28, entitled

A bill to amend an act to reorganize the township of Garden Island, and to change the name of said township,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|            |             |                |
|------------|-------------|----------------|
| Mr. Adams, | Mr. Hadley, | Mr. Read,      |
| Alexander, | Henderson,  | Seassons,      |
| Baker,     | Hill,       | Shank,         |
| Beamer,    | Hodges,     | Shanahan,      |
| Blakeslee, | Hurd,       | Smith,         |
| Brownell,  | Jones,      | W. N. Stevens, |
| Bunce,     | Joy,        | A. Stevens,    |
| Chase,     | Kanouse,    | Stewart,       |
| Childs,    | Kelsey,     | Stoddard,      |
| Choate,    | Leetch,     | Strong,        |
| Cook,      | Lockwood,   | Tibbits,       |
| Cox,       | Morrison,   | Toll,          |
| Crego,     | Moore,      | Wallin,        |
| Cutcheon,  | Persons,    | Warner,        |
| C. Davis,  | Peterson,   | Waterbury,     |
| Ira Davis, | Phelps,     | T. M. Wilson,  |
| Follett,   | Piper,      | Winans,        |
| Foots,     | Pratt,      | Woodman,       |
| Fowle,     | Pringle,    | Woodward,      |
| Gilbert,   | Ramsdell,   | Wright,        |
| Goodrich,  | Rankin,     | Speaker,       |
| Gregory,   |             |                |

64

## NAYS.

Mr. A. W. Davis, Mr. Howell, Mr. Wade, 3

Title agreed to.

On motion of Mr Wright,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to authorize any township in the county of Allegan to make loans for the improvement of the Kalamazoo river and harbor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|            |                  |             |
|------------|------------------|-------------|
| Mr. Adams, | Mr. A. L. Green, | Mr. Rankin, |
| Alexander, | Hadley,          | Sessions,   |
| Atwood,    | Haire,           | Shank,      |

|              |            |                |
|--------------|------------|----------------|
| Baker,       | Henderson, | Shanahan,      |
| Beamer,      | Hemingway, | Smith,         |
| Blakeslee,   | Hill,      | W. N. Stevens, |
| Brownell,    | Hodges,    | A. Stevens,    |
| Bunce,       | Hurd,      | Stewart,       |
| Chase,       | Joy,       | Stoddard,      |
| Childs,      | Kanouse,   | Strong,        |
| Choate,      | Kelsey,    | Tibbits,       |
| Cook,        | Leetch,    | Toll,          |
| Cox,         | Lockwood,  | Wade,          |
| Crego,       | Miller,    | Wallin,        |
| Cutcheon,    | Morrison,  | Warner,        |
| Ira Davis,   | Moore,     | Waterbury,     |
| Follett,     | Peterson,  | T. M. Wilson,  |
| Foots,       | Phelps,    | Winans,        |
| Fowle,       | Piper,     | Woodman,       |
| Gilbert,     | Pratt,     | Woodward,      |
| Goodrich,    | Pringle,   | Wright,        |
| Gregory,     | Ramsdell,  | Speaker,       |
| N. K. Green, |            |                |

67

0

## NAYS

The question being upon agreeing to the title,

Mr. Wallin moved to strike out the words "make loans," and insert in lieu thereof the words "levy a special tax;"

Which motion prevailed.

The title, as amended, was then agreed to.

On motion of Mr. Adams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Kelsey moved that the House adjourn until Monday morning at 9 o'clock;

Which was withdrawn.

Mr. Pringle moved that when the House adjourn, it be until Monday morning at 9 o'clock;

Which motion prevailed.

Mr. Gregory moved that the House adjourn;

Which motion did not prevail.

## UNFINISHED BUSINESS,

Being the consideration of House bill, entitled

A bill to amend an act entitled an act to provide for the

draining and reclamation of swamp lands by means of State roads and ditches, being act No. 117 of session laws of 1859;

The question recurring upon the motion to insert the words "half of a," between the words "one" and "million," in the second line of section 9,

Mr. Hemingway demanded the previous question.

The demand was seconded, and the main question ordered.

The motion to insert "half of a" did not prevail.

Mr. Cutcheon moved to strike out section nine of the bill;

Mr. Howell moved to commit the bill to a special committee of five, with instructions to report a bill containing the following general provisions :

1st. To appropriate the same to the reclamation and drainage thereof to the counties in which they lie to be first drained before appropriated to any other purpose.

2d. The State to retain the fee of said land until such drainage and reclamation be fully completed.

3. A board of control to consist of the Governor and other State officers to be a board of control who shall have a general supervision over the same.

Pending which motion,

On motion of Mr. Sessions,

The House adjourned till Monday morning at 9 o'clock.

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*Lansing, Monday, February 25, 1861.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

Absent at roll call without leave, Messrs. Chapoton, Fallass, and Jones.

Mr. Shank asked and obtained leave of absence for Mr. Jones, until Wednesday, on account of sickness in his family.

PETITIONS PRESENTED.

By Mr. Persons: remonstrance of J. W. Barnum, Geo. O. Jones and 27 others, citizens of the city of Detroit, against any law prohibiting fishing with pond nets ;

Referred to the committee on State affairs.

By Mr. Persons : remonstrance of J. K. Miller, C. G. Bisbee, David Plough and 23 others, citizens of Alpena, against the repeal of the liquor law ;

Referred to the committee on judiciary.

By Mr. W. N. Stevens: remonstrance of the senate of the University of Michigan, against establishing a chair of homeopathy in the institution ;

On motion of Mr. Shank,

The remonstrance was laid on the table and ordered printed.

By Mr. G. Davis: petition of A. D. Finch and 65 others, for the passage of a law to prohibit chasing or worrying of deer by means of hounds ;

Referred to the committee on federal relations.

By Mr. Chase: petition of D. H. Davis and 36 others, citizens of Coldwater, for a law providing for county superintendents of schools ;

Laid on the table.

#### REPORTS OF STANDING COMMITTEES.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled an act to incorporate the city of Lansing, approved February 15, 1859,

And, also, the petition of H. H. Smith and others, that the first ward of said city may be set off from said city into the township of Lansing, respectfully report that they have had the same under consideration, that they can neither recommend the principal amendments proposed by the bill, nor that the prayer of the petitioners of the first ward be granted. There are, however, certain amendments which seem to the committee to be desirable, and they have, therefore, instructed their chairman to report certain amendments herewith, and to recommend that when so amended it do pass, and ask to be discharged from the further consideration thereof.

Report accepted and committee discharged.

On motion of Mr. Gregory,

The House concurred in the amendments made by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill entitled

A bill to incorporate the city of Pontiac,

Respectfully report that they have had the same under consideration, have agreed upon certain amendments thereto, to be proposed to the House, which are herewith submitted, and they recommend that when so amended the bill do pass, and ask to be discharged from the further consideration thereof.

E. PRINGLE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the amendments made by the committee.

On motion of Mr. Pringle,

The rules were suspended, and the bill put upon its final passage.

On motion of Mr. Joy,

The reading of the bill *in extenso* was dispensed with.

The bill, being Senate bill, entitled

A bill to incorporate the city of Pontiac,

Was read a third time by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Blakeslee,  
Brownell,  
Chase,  
Childs,

Mr. Hadley,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hurd,  
Joy,  
Kanouse,

Mr. Read,  
Sessions,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Tibbits,



Choate,  
Cook,  
Crego,  
Cutcheon,  
Ira Davis,  
Douglas,  
Follett,  
Foote,  
Fowle,  
Goodrich,  
Gregory,  
N. K. Green,

Kelsey,  
Leetch,  
Morrison,  
Moore,  
Persons,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,  
Rankin,

Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

59

## NAYS.

Mr. Cox,  
A. W. Davis,  
C. Davis,  
Gilbert,

Mr. Haire,  
Howall,  
Lockwood,  
Shanahan,

Mr. Strong,  
Wade,  
T. M. Wilsen,  
11

Pending the announcement of the vote,

Mr. Kelsey moved that Mr. A. W. Davis be excused from voting;

Which motion did not prevail.

Mr. A. W. Davis then voted as recorded above.

Mr. Gregory moved that Mr. Strong be excused from voting;

Which motion did not prevail.

Mr. Strong then voted as recorded above.

Title agreed to.

On motion of Mr. Pringle,

By a vote of two-thirds of all the members elect, the bill was ordered to take effect on the 30th day of March next.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

Senate bill No. 56, being

A bill to amend sections 1, 3, 4, 6, and 7, of an act entitled an act to incorporate the fire department of the city of Detroit, &c.,

Have had the same under consideration, and would respectfully report the same back to the House without amendment,

with a recommendation that it do pass and ask to be discharged from the further consideration of the subject.

EUGENE PRINGLE, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill, entitled

A bill to amend an act entitled an act to revise the charter of the city of Detroit, approved February 5, 1857,

Respectfully report that they have had the same under consideration, and report the same back to the House with certain proposed amendments, herewith submitted, and recommend that when so amended, the bill do pass. They do not find in the bill under consideration, any authority to appropriate money for the celebration of the 4th of July, and hence return the several remonstrances on that subject to the House, and ask to be discharged from the further consideration thereof.

EUGENE PRINGLE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. O. Davis,

The House concurred in the amendments made by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations have had under consideration

A bill to amend certain sections of an act to revise the charter of the city of Ypsilanti, approved February 15, 1859,

And report the same back to the House without amendment, with a recommendation that it do pass. They do this with some mental reservations, (not entirely overcome by the assurances of the member from that district,) believing that the authorities of that flourishing city ought to have greater power than they

have asked for, to levy taxes for the improvement of the streets. Regretting that it is not a larger delegation of power which they are invited to recommend, the committee ask to be discharged from the further consideration of the subject.

EUGENE PRINGLE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cutcheon,

The rules were suspended, and the bill put upon its final passage.

The bill, being House bill, entitled

A bill to amend certain sections of an act to revise the charter of the city of Ypsilanti, approved Feb. 15, 1859,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

|              |                |                |
|--------------|----------------|----------------|
| Mr. Adams,   | Mr. Henderson, | Mr. Sessions,  |
| Alexander,   | Hemingway,     | Shank,         |
| Baker,       | Hill,          | Shanahan,      |
| Beamer,      | Hodges,        | Smith,         |
| Blakeslee,   | Hurd,          | W. N. Stevens, |
| Brownell,    | Joy,           | A. Stevens,    |
| Chase,       | Kanouse,       | Stewart,       |
| Childs,      | Kelsey,        | Stoddard,      |
| Choate,      | Leetch,        | Toll,          |
| Cook,        | Lockwood,      | Wade,          |
| Cox,         | Morrison,      | Wallin,        |
| Crego,       | Moore,         | Waterbury,     |
| Cutcheon,    | Persons,       | Wetherby,      |
| Follett,     | Peterson,      | Wheeler,       |
| Foote,       | Phelps,        | T. M. Wilson,  |
| Fowle,       | Piper,         | J. B. Wilson,  |
| Gilbert,     | Pratt,         | Winans,        |
| Goodrich,    | Pringle,       | Woodman,       |
| Gregory,     | Ramsdell,      | Woodward,      |
| N. K. Green, | Rankin,        | Wright,        |
| Hadley,      | Read,          | Speaker,       |
| Haire,       |                |                |

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NAYS.

|               |             |              |
|---------------|-------------|--------------|
| Mr. C. Davis, | Mr. Strong, | Mr. Tibbits, |
| Howell,       |             |              |

4

Title agreed to.

On motion of Mr. Cutcheon,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on the judiciary:

The undersigned, from the committee on the judiciary, to whom was referred

A bill authorizing the supervisors of the townships in the county of Wayne to equalize their own assessment rolls,

Herewith reports a substitute therefor and recommends its passage, and asks to be discharged from the further consideration of the subject.

W. T. HOWELL, *for the Committee.*

Report accepted and committee discharged.

On motion of Mr. Sessions,

The substitute offered by the committee was adopted.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements to whom was referred

A bill to provide for the Muskegon river improvement, and to authorize tolls for the same,

Have had the same under consideration and have instructed their chairman to report the same back without amendment, recommend that it do pass, and ask to be discharged from the further consideration of the same.

ALONZO SESSIONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures, to whom was referred Senate bill, entitled

A bill to amend an act entitled an act to provide against the recovery of damages done by beasts on lands not enclosed by a

lawful fence, approved March 17, 1847, being section 628 of the compiled laws,

Would respectfully report that they have had the same under consideration, and after due deliberation have instructed their chairman to report the same back to the House, without amendment, and recommend its passage, and ask to be discharged from the further consideration of the same.

JAMES WEBSTER CHILDS, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on agriculture and manufactures :

The committee on agriculture and manufactures, to whom was referred

A bill to amend sections 3, 4, 6, and 12 of an act entitled an act authorizing the commissioner of highways of townships to establish water-courses and locate ditches in certain cases,

Would respectfully report that they have had the same under consideration, and have instructed their chairman to report the same back without amendment, recommend its passage, and ask to be discharged from the further consideration of the same.

JAMES WEBSTER CHILDS, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to organize the Wayne county farm into a school district,

Report the same back without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the same.

B. L. HILL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hill,

The bill was placed on the order of third reading.

By the committee on education :

The committee on education, to whom was referred Senate bill, entitled

A bill to repeal section two, of act No. 106, of the session laws of 1840, relative to formation of school districts embracing lands lying on both sides of Grand River;

Have had the same under consideration, and report the same back without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the same.

B. L. HILL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hill,

The bill was placed on the order of third reading.

By the committee on education :

- The committee on education, to whom was referred

A bill to amend an act entitled an act in relation to the free schools in the city of Detroit, approved February 7, 1857,

Have had the same under consideration, and report the same back without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the same.

B. L. HILL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to regulate fisheries in the waters of the State of Michigan ;

Have had the same under consideration, have made some amendments to the bill, and instructed me to report the same back to the House as amended, with a recommendation that the same do pass, and ask to be discharged from its further consideration.

A. H. MORRISON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to prevent fishing with seines, nets, and spears, in the lakes known as Devil's lake, and Round lake, in Lenawee county,

Have had the same under consideration, and instructed their chairman to report the same back to the House, without any recommendation, and ask to be discharged from the further consideration thereof.

A. H. MORRISON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. N. K. Green.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill to amend section 1, session laws of 1859, entitled an act to prevent fishing with seines and every kind of nets in certain counties in the State of Michigan,

Have had the same under consideration, and herewith report the bill back to the House, without any recommendation, and ask to be discharged from its further consideration.

A. H. MORRISON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hodges,

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend section 818, of the compiled laws, to extend the time for completing tax rolls in the several townships,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was referred to the committee of the whole, and placed on the general order.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to establish a municipal court in the city of Battle Creek,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Stewart,

The bill was laid on the table.

By the judiciary committee:

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to regulate proceedings in case of recoupment,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.



By the judiciary committee :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend sections 3, 13, and 25, of chapter 150, of compiled laws, relating to forcible entry and detainer, and forcible detainer only,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The bill was laid on the table.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend chapter 150, of the revised statutes of 1846, being chapter 175 of the compiled laws,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the judiciary committee :

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend chapter 194, of the compiled laws, relative to the arrest and examination of offenders, commitment for trial and taking bail,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do

pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, No. 43, entitled

A bill regulating proceedings in certain cases of nuisance,

Respectfully report that they have had the said bill under consideration, and return the same to the House with the accompanying amendments, recommend that the amendments be concurred in, and that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Sessions,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the judiciary committee:

The committee on the judiciary, to whom was referred

A bill to provide for the floating of logs and timber in the streams of this State,

Respectfully report that they have considered the same and that they are of opinion that the bill is unconstitutional, impracticable and inexpedient, in most of its provisions, and therefore recommend that the bill do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Sessions,

The bill was laid on the table.

By the judiciary committee:

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to authorize and empower judges of probate to license executors, administrators and guardians to mortgage, or otherwise pledge estate for the settlement of debts against the same,

Respectfully report that they have had the same under consideration, and have not been able to convince themselves that it is expedient or desirable that such a bill should be passed. If executors, administrators, and guardians were always, or usually, men who would act as much for the interests of heirs, legatees, and wards, as they would for themselves, or if probate judges would or could exercise the proper discretion as to the character and qualifications of the person to whom such a power might be granted, and if probate judges were, as a general rule, qualified for the important trusts committed to them, your committee might feel disposed to give a more favorable consideration to such a proposition. Such a law, we grant, would in occasional cases be productive of much convenience, and save estates from loss; but in the mass of cases, in our judgment the evils of mismanagement, carelessness or fraud, would more than overbalance the benefits. We feel obliged, therefore, to recommend that the bill do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means :

The committee on ways and means, to whom was referred

Joint resolution relative to the sale of lands for taxes in the year 1860, in the counties of Lake and Mason,

Have instructed me to report the same back without recommendation, and ask to be discharged from the further consideration of the subject.

JAMES F. JOY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges :

The committee on roads and bridges, to whom was referred

A bill to legalize a certain highway in township 4 south, of range 7 west,

Have had the same under consideration, and have instructed me to report the same back without amendment, recommend its passage, and ask to be discharged from its further consideration.

N. K. GREEN, *Chairman.*

Report accepted, and committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred Senate bill, entitled

A bill to amend an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, being act No. 117, of session laws of 1859,

Would respectfully report that they have had the same under consideration, and direct me to report the same back without amendment, and recommend its passage, and ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

J. C. WATERBURY, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to lay out and establish a State road from Fulkerson's, in Kent county, to White River, in the county of Oceana,

Respectfully report that they have had the same under consideration and directed me to report the same back to the House

without amendment, and recommend its passage, and ask to be discharged from the further consideration of the same.

J. C. WATERBURY, *Chairman.*

Report accepted, and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties :

The committee on towns and counties, to whom was referred

A bill to organize the town of Cedar, in the county of Muskegon,

Have given the bill due consideration, and direct me to re-report in favor of the bill, recommend its passage, and ask to be discharged from further consideration thereof.

J. B. WILSON, *Chairman.*

Report accepted, and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties :

The committee on towns and counties, to whom was referred

A bill to incorporate the village of Muskegon, in the county of Muskegon,

Beg leave to report that they have given proper consideration to the bill, and therefore recommend its passage, and ask to be discharged from further consideration thereof.

J. B. WILSON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. B. Wilson,

The bill was placed on the order of third reading.

By the committee on towns and counties :

The committee on towns and counties, to whom was referred

A bill to provide for the purchase of a collection of the township laws of this State;

Beg leave to report that such a work would be of great service in every township in this State, and, in the opinion of your committee, should be in the hands of every township officer.

We therefore recommend that this bill do pass, and ask to be discharged from further consideration thereof.

JOHN B. WILSON, *Chairman.*

Report accepted, and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,  
*Lansing, February 23, 1861.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following entitled bills :

1. A bill to amend section 3 of an act entitled an act to define the limits, jurisdiction and powers of circuit courts, approved April 8, 1851, being section 3413, of compiled laws ;

2. A bill relative to the arrest and surrender of fugitives from justice ;

3. Joint resolution for the relief of Peston Mitchell and John L. Mitchell ;

Which have passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on judiciary.

The second named bill was read a first and second time by title, and referred to the committee on judiciary.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

Also the following :

SENATE CHAMBER,  
Lansing, February 23, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bill:

A bill to authorize the township board of the township of Genoa, in the county of Livingston, to transfer the title of the township burial ground to a corporation,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The bill was read a first and second time, by its title, and referred to the committee on banks and incorporation.

Also the following:

SENATE CHAMBER,  
Lansing, February 23, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bills:

A bill to establish the county seat of Mason county;

Also,

A bill to organize the township of Hamlin, in the county of Mason;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
*Lansing, February 25, 1861.* }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bill :

A bill to amend sections 8, 9, 16 and 18, of chapter 94, of the revised statutes of 1846, the same being chapter 118 compiled laws, relative to criminal proceedings before justices of the peace,

And to inform the House that the Senate has receded from its amendment in which the House refused to concur.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
*Lansing, January 25, 1861.* }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bill :

A bill to amend section 33, chapter 109, of the revised statutes of 1846, being section 4648 of compiled laws, relative to partition of lands owned by several persons,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

Also the following :



SENATE CHAMBER,  
*Lansing, February 25, 1861.* }

*To the Speaker of the House of Representatives:*

SIR :—I am instructed to return to the House the following entitled bill:

A bill to amend section five of an act to amend an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved Feb. 14, 1858,

Which the Senate has amended by striking out, in 28d line, the words: "the estates of Indians, except lands held by them by purchase, and,"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The House concurred in the amendment made to the bill by the Senate, by the following vote:

YEAS.

|              |           |                |
|--------------|-----------|----------------|
| Mr. Atwood,  | Mr. Hill, | Mr. Smith,     |
| Blakeslee,   | Hodges,   | W. N. Stevens, |
| Brownell,    | Howell,   | A. Stevens,    |
| Bunce,       | Hurd,     | Stewart,       |
| Chase,       | Joy,      | Stoddard,      |
| Childs,      | Kelsey,   | Strong,        |
| Choate,      | Leetch,   | Tibbits,       |
| Cook,        | Lockwood, | Toll,          |
| Cutcheon,    | Morrison, | Wade,          |
| A. W. Davis, | Moore,    | Wallin,        |
| Ira Davis,   | Persons,  | Warner,        |
| Follett,     | Peterson, | Waterbury,     |
| Fowle,       | Phelps,   | Wetherby,      |
| Gilbert,     | Piper,    | Wheeler,       |
| Goodrich,    | Pratt,    | J. B. Wilson,  |
| Gregory,     | Ramsdell, | Winans,        |
| Hadley,      | Rankin,   | Woodman,       |
| Haire,       | Reed,     | Woodward,      |
| Henderson,   | Sessions, | Wright,        |
| Hemingway,   | Shank,    | Speaker,       |

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NAYS.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

Also the following :

SENATE CHAMBER,  
*Lansing, February 25, 1861.* }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bill:

A bill to provide for the marking and branding of horses, cattle, sheep and swine,

All after the enacting clause of which the Senate has stricken out.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

On motion of Mr. Howell,

The Clerk was directed to return the message, with the bill, to the Senate, with a respectful statement of the facts in relation to the same, that the Senate may take such further action as it shall deem proper.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Hurd offered the following :

*Resolved*, That the use of this Hall be tendered to Hon. J. M. Gregory on Tuesday evening, the 26th inst., for the purpose of lecturing on the subject of graded schools;

Which was adopted.

Mr. Howell moved to take from the table House bill, entitled A bill to establish a municipal court in the city of Battle Creek;

Which motion prevailed.

Mr. Henderson then offered the following :

*Resolved*, That the petitioners asking for the establishing of a municipal court in the city of Battle Creek, have leave to withdraw the bill for the same.

Which was adopted, and leave granted to withdraw the bill.

Mr. Catcheon offered the following:

*Resolved*, That appropriation bills be placed first, and apportionment bills second on the general order.

On motion of Mr. Howell,

The resolution was laid on the table.

Mr. Hodges moved to take from the table the following resolution :

*Resolved*, (the Senate concurring,) That the Legislature of Michigan, now in session, adjourn *sine die* on Thursday, the 14th day of March, A. D. 1861, at 12 o'clock M.;

Which motion did not prevail.

Mr. Waterbury moved that the committee of the whole be discharged from the further consideration of House bill No. 119, entitled

A bill to provide for the preservation of bridges in certain cases;

Which motion prevailed.

On motion of Mr. Howell,

The rules were suspended, and the bill put upon its final passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|              |              |               |
|--------------|--------------|---------------|
| Mr. Adams,   | Mr. Gregory, | Mr. Read,     |
| Alexander,   | Hadley,      | Sessions,     |
| Atwood,      | Haire,       | Shanahan,     |
| Beamer,      | Henderson,   | Smith,        |
| Blakeslee,   | Hemingway,   | A. Stevens,   |
| Brownell,    | Hill,        | Stewart,      |
| Bunce,       | Hodges,      | Stoddard,     |
| Chase,       | Howell,      | Strong,       |
| Childs,      | Hurd,        | Tibbits,      |
| Choate,      | Joy,         | Toll,         |
| Cook,        | Kanouse,     | Wade,         |
| Crego,       | Kelsey,      | Wallin,       |
| Cutcheon,    | Leetch,      | Warner,       |
| A. W. Davis, | Lockwood,    | Waterbury,    |
| C. Davis,    | Moore,       | Wetherby,     |
| Ira Davis,   | Persons,     | Wheeler,      |
| Douglas,     | Peterson,    | T. M. Wilson, |

Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,

Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,

J. B. Wilson;  
Winans,  
Woodward,  
Wright,  
Speaker,

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NAYS.

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Title agreed to.

On motion of Mr. Childs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Senate bill, entitled

A bill to authorize the transfer by the board of control, of a grant of land made to the State of Michigan by an act of Congress, passed June 3, 1856, to aid in the construction of a railroad from Marquette, on Lake Superior, to the Wisconsin State line, and the re-location of the same,

Being under consideration,

On motion of Mr. Sessions,

The bill was laid on the table.

#### UNFINISHED BUSINESS,

Being the consideration of House bill, entitled

A bill to amend an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, being act No. 117, of the session laws of 1859;

To which was pending the following motions :

Mr. Cutcheon moved to strike out section 9 of the bill.

Mr. Howell moved to commit the bill to a special committee of five, with instructions to report a bill containing the following general provisions :

1st. To appropriate the same to the reclamation and drainage thereof, to the counties in which they lie, to be first drained before appropriated to any other purpose.

2d. The State to retain the fee of said land until such drainage and reclamation be fully completed.

3d. A board of control, to consist of the Governor and other

State officers to be a board of control, who shall have a general supervision over the same.

The question being upon committing the bill with the above instructions,

Mr. Sessions offered the following substitute for the instructions :

Amend the bill so that it shall provide for the sale of the State swamp lands to actual settlers only, at one dollar per acre, subject to drainage by the purchaser; one-fourth to be paid at the time of entry, the balance at the option of the purchaser, with seven per cent. interest payable annually.

The proceeds to be funded and used for the redemption of the State bonds as they fall due.

The State to pay seven per cent. annual interest on the fund, the interest to be appropriated to the drainage and reclamation of such of the unsold lands as it is practicable to drain.

Also, repealing all other laws relating to State swamp lands, except so much as relates to the acceptance of the grant made by Congress;

Mr. Hill demanded the previous question.

The demand was seconded, and the main question ordered.

Mr. Sessions demanded the yeas and nays.

The demand was seconded, and the substitute for the instructions were not adopted, by yeas and nays, as follows :

#### YEAS.

|             |              |                |    |
|-------------|--------------|----------------|----|
| Mr. Atwood, | Mr. Gregory, | Mr. Sessions,  |    |
| Beamer,     | Henderson,   | W. N. Stevens, |    |
| Brownell,   | Hurd,        | Stewart,       |    |
| Chase,      | Joy,         | Wetherby,      |    |
| Choate,     | Leetch,      | Wheeler,       |    |
| Cox,        | Moore,       | Winans,        | 18 |

#### NAYS.

|            |            |             |
|------------|------------|-------------|
| Mr. Adams, | Mr. Haire, | Mr. Shank,  |
| Alexander, | Hemingway, | Shanahan,   |
| Blakeslee, | Hill,      | Smith,      |
| Bunce,     | Hodges,    | A. Stevens, |
| Childs,    | Howell,    | Stoddard,   |
| Cook,      | Kanouse,   | Strong,     |

Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
N. K. Green,  
Hadley,

Kelsey,  
Lockwood,  
Miller,  
Persons,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,  
Rankin,  
Read,

Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
T. M. Wilson,  
J. B. Wilson,  
Woodman,  
Woodard,  
Wright,  
Speaker, 54

The question recurring upon the original motion to recommend the bill to a special committee with certain instructions, the motion did not prevail, by yeas and nays, as follows :

## YEAS.

Mr. Alexander,  
Bramer,  
Douglas,  
Goodrich,  
Howell,

Mr. Kanouse,  
Leetch,  
Morrison,  
Ramsdell,

Mr. Sessions,  
Toll,  
Wheelor,  
Winans, 12

## NAYS.

Mr. Adams,  
Atwood,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cook,  
Cox,  
Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Gregory,  
N. K. Green,

Mr. Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hurd,  
Joy,  
Kelsey,  
Lockwood,  
Miller,  
Moore,  
Persons,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Rankin,  
Read,

Mr. Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Tibbits,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
T. M. Wilson,  
J. B. Wilson,  
Woodman,  
Woodward,  
Wright,  
Speaker, 62

The question then being upon striking out section 9 of the bill the motion prevailed, by yeas and nays, as follows :

## YEAS.

|              |                |                |
|--------------|----------------|----------------|
| Mr. Adams,   | Mr. Hemingway, | Mr. Sessions,  |
| Blakeslee,   | Hill,          | Shank,         |
| Childs,      | Hodges,        | Smith,         |
| Choate,      | Hurd,          | W. N. Stevens, |
| Cook,        | Joy,           | A. Stevens.    |
| Cox,         | Kanouse,       | Tibbits,       |
| Crego,       | Kelsey,        | Wallin,        |
| Cutcheon     | Leetch,        | Warner,        |
| A. W. Davis, | Lockwood,      | Waterbury,     |
| Follett,     | Miller,        | Wetherby,      |
| Foote,       | Moore,         | Wheeler,       |
| Gilbert,     | Phelps,        | T. M. Wilson,  |
| Goodrich,    | Piper,         | J. B. Wilson,  |
| Gregory,     | Pratt,         | Woodman,       |
| N. K. Green, | Pringle,       | Woodward,      |
| Hadley,      | Rankin,        | Wright,        |
| Haire,       | Read,          | Speaker,       |
| Henderson,   |                |                |

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## NAYS.

|                |              |               |
|----------------|--------------|---------------|
| Mr. Alexander, | Mr. Douglas, | Mr. Shanahan, |
| Atwood,        | Fowle,       | Stewart,      |
| Beamer,        | Howell,      | Stoddard,     |
| Brownell,      | Morrison,    | Strong,       |
| Chase,         | Persons,     | Toll,         |
| C. Davis,      | Peterson,    | Wade,         |
| Ira Davis,     | Ramsdell,    | Winans,       |

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Mr. Howell moved to commit the bill to a special committee of five, with instructions to report a bill containing the following general provisions:

1st. To appropriate three-fourths of the same to the reclamation and drainage thereof to the counties in which they lie to be first drained before appropriated to any other purpose.

2d. The State to retain the fee of said land until such drainage and reclamation be fully completed.

3d. A board of control to consist of the Governor and other State officers to be a board of control who shall have a general supervision over the same.

4th. That the board of control employ a competent engineer

to examine and estimate the drainage, and prescribe the manner, to be approved by the board of control, on such works as they shall designate.

5th. After such estimates, the board of control to authorize the board of supervisors or other local authority to do such work, payable in lands, the counties to pay all expenses.

6. Two-thirds of the lands to be thus applied, and the balance to belong to the State, and appropriated as the Legislature shall direct.

Mr. Pratt demanded the previous question.

The demand was seconded, and the main question ordered.

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion to commit with the above instructions did not prevail, by yeas and nays, as follows:

#### YEAS.

|                |             |             |    |
|----------------|-------------|-------------|----|
| Mr. Alexander, | Mr. Howell, | Mr. Strong, |    |
| Brownell,      | Kanouse,    | Toll,       |    |
| Douglas,       | Leetch,     | Wetherby,   |    |
| Fowle,         | Morrison,   | Winans,     |    |
| Henderson,     | Sessions,   | Woodward,   | 15 |

#### NAYS.

|              |              |                |
|--------------|--------------|----------------|
| Mr. Adams,   | Mr. Gregory, | Mr. Read,      |
| Atwood,      | N. K. Green, | Shank,         |
| Baker,       | Hadley,      | Shanahan,      |
| Beamer,      | Haire,       | Smith,         |
| Blakeslee,   | Hemingway,   | W. N. Stevens, |
| Bunce,       | Hill,        | A. Stevens,    |
| Chase,       | Hodges,      | Stewart,       |
| Childs,      | Hurd,        | Stoddard,      |
| Choate,      | Joy,         | Tibbits,       |
| Cook,        | Kelsey,      | Wade,          |
| Cox,         | Lockwood,    | Wallin,        |
| Crego,       | Miller,      | Warner,        |
| Cutcheon,    | Moore,       | Waterbury,     |
| A. W. Davis, | Persons,     | Wheeler,       |
| C. Davis,    | Peterson,    | T. M. Wilson,  |
| Ira Davis,   | Phelps,      | J. B. Wilson,  |
| Follett,     | Piper,       | Woodman,       |
| Foote,       | Pratt,       | Wright,        |
| Gilbert,     | Pringle,     | Speaker,       |
| Goodrich,    | Rankin,      |                |



Pending the announcement of the vote,

Mr. Tibbitts moved that Mr. Atwood be excused from voting;

Which motion did not prevail.

Mr. Atwood then voted as recorded above.

Mr. Wallin offered the following to stand as section 9:

Sec. 9. That section 12 of said act be so amended as to read as follows:

Sec. 12. There is hereby appropriated two hundred thousand acres of swamp lands of this State, to be expended in draining and reclaiming said lands by means of levies and ditches, which land is hereby placed under the direction of said board of control, and may, under their direction, be appropriated at the minimum price fixed by law for said lands, from time to time for that purpose, in such localities and under such rule and regulations as they may prescribe: *Provided*, That said board shall apportion said lands as near as may be to the organized counties of the Lower Peninsula, according to the number of acres lying in said counties at the time of the grant of said lands by Congress;

Which was adopted.

Mr. Hurd moved that the House adjourn;

Which motion did not prevail.

Mr. Pringle moved to insert between recited sections 12 and 13 the following:

"Sec. 10. There shall be added to the act hereby amended, to stand as section 13, the following words;"

Which amendment was adopted.

Mr. Atwood moved to amend section 13 by striking out, in line 17, the words "in a newspaper printed at Lansing," after the word "sales;" and in same line strike out the words "and also" after the word "week," and insert between the words "one" and "and" in line 18, the following: "if no newspaper be published in the county, then in a newspaper printed at Lansing;"

Which amendment was adopted.

Mr. Lockwood offered the following, to stand as a new section of the bill :

Sec. 11. The provisions of this act shall apply to all contracts heretofore made under the act hereby amended, and not cancelled and remaining unfulfilled, so far as applicable thereto, and all such contracts shall be paid in the manner provided in this act irrespective of other provisions, except that by the voluntary consent of the contractors the contract may be paid in land;

Which was adopted.

Mr. Ramsdell moved to amend section 4 of the bill by inserting after the word "thereof," in line 22, the following :

"*Provided*, That in all those contracts where the party has contracted to take lands, such lands shall be selected in those counties in which such work is performed, according to contract;"

Which amendment was adopted.

On motion of Mr. Waterbury,

The rules were suspended, and the bill put upon its final passage.

The bill, being House bill No. 114, entitled

A bill to amend an act entitled an act to provide for the draining and reclamation of swamp lands by means of State roads and ditches, being act No. 117 of session laws of 1859, is

Was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

|              |                |             |
|--------------|----------------|-------------|
| Mr. Adams,   | Mr. Hemingway, | Mr. Read,   |
| Alexander,   | Hill,          | Smith,      |
| Atwood,      | Hodges,        | A. Stevens, |
| Blakeslee,   | Howell,        | Stewart,    |
| Bunce,       | Kanouse,       | Stoddard,   |
| Chase,       | Kelsey,        | Tibbits,    |
| Childs,      | Leetch,        | Toll,       |
| Cook,        | Lockwood,      | Wade,       |
| Cutcheon,    | Morrison,      | Wallin,     |
| A. W. Davis, | Moore,         | Warner,     |
| C. Davis,    | Persons,       | Waterbury,  |

Ira Davis,  
Follett,  
Fowle,  
Goodrich,  
N. K. Green,  
Hadley,  
Haire,

Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramadell,  
Rankin,

Wetherby,  
T. M. Wilson,  
J. B. Wilson,  
Woodman,  
Woodward,  
Wright,  
Speaker, 54

## NAYS.

Mr. Beamer,  
Choate,  
Cox,  
Crego,  
Douglas,  
Foote,

Mr. Gilbert,  
Gregory,  
Henderson,  
Hurd,  
Joy,  
Miller,

Mr. Sessions,  
Shanahan,  
W. N. Stevens,  
Strong,  
Wheeler,  
Winans, 18

Title agreed to.

On motion of Mr. Childs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. C. Davis,

The House adjourned until this afternoon at 2 o'clock.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

## MESSAGES FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER,  
Lansing, February 25, 1861. }

To the Speaker of the House of Representatives:

SIR:—I am instructed to return to the House the following entitled bill:

A bill to authorize certain highways to be laid out less than four rods wide;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same

to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, February 25, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, By the Senate (the House concurring), That the Secretary of State be and he is hereby authorized and directed to forward one copy of the laws and resolutions passed at the present session of the Legislature, also one copy of the journals and documents of the Senate and House of Representatives and joint documents of the Senate and House of Representatives to each of the members and officers of the two Houses, directed to the clerks of the several counties in which said members and officers reside, as soon as the same shall be printed, bound and ready for delivery.

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of State.*

On motion of Mr. Wade,

The House concurred in the adoption of the resolution.

Also the following :

SENATE CHAMBER,  
Lansing, February 25, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following, entitled bill:

A bill relative to levies of executions on real estate,

Which the Senate has amended as follows :

Insert after the word "valid," in the second line of section one, the words : "as against persons obtaining a subsequent interest therein."

In the fifth line of same section, strike out the words "thereupon enter," and insert "endorse upon."

In the sixth line, strike out the words "a minute of;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The House concurred in the amendments made to the bill by the Senate, by the following vote :

#### YEAS.

|                |               |                |
|----------------|---------------|----------------|
| Mr. Alexander, | Mr. Goodrich, | Mr. Ramsdell,  |
| Atwood,        | Gregory,      | Sessions,      |
| Beamer,        | A. L. Green,  | Shanahan,      |
| Blakeslee,     | Hadley,       | Smith,         |
| Brownell,      | Haire,        | W. N. Stevens, |
| Bunce,         | Henderson,    | A. Stevens,    |
| Chase,         | Hodges,       | Strong,        |
| Childs,        | Joy,          | Tibbits,       |
| Choate,        | Kanouse,      | Toll,          |
| Cook,          | Kelsey,       | Wade,          |
| Cox,           | Leetch,       | Wallin,        |
| Crego,         | Lockwood,     | Warner,        |
| Cutocheon,     | Morrison,     | Wetherby,      |
| A. W. Davis,   | Moore,        | Wheeler,       |
| C. Davis,      | Peterson,     | J. B. Wilson,  |
| Douglas,       | Phelps,       | Winans,        |
| Foote,         | Piper,        | Woodman,       |
| Fowle,         | Pratt,        | Woodward,      |
| Gilbert,       | Pringle,      | Speaker, 57    |

#### NAYS.

Mr. Howell, Mr. Stewart, Mr. T. M. Wilson, 3

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, February 25, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to re-transmit the following entitled bill:

A bill compelling mining companies in the Upper Peninsula of Michigan to file with the county treasurer of the county in which they are doing business, a list of their stockholders, and the amount of the indebtedness of the companies,

And to inform the House that the Senate does not concur in the amendments of the House.

Very Respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Howell moved that the House insist upon its amendments to the bill ;

Which motion prevailed by yeas and nays, as follows :

YEAS.

Mr. Adams,  
Alexander,  
Atwood,  
Baker,  
Beamer,  
Blakeslee,  
Bunce,  
Chase,  
Childs,  
Cook,  
Grego,  
Cutcheon,  
O. Davis,  
Douglas,  
Foot, e  
Fowle,  
Gilbert,  
Goodrich,

Mr. Gregory,  
A. L. Green,  
Hadley,  
Haire,  
Henderson,  
Hill,  
Hodges,  
Howell,  
Joy,  
Kanouise,  
Kelsey,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peterson,  
Phelps,  
Piper,

Mr. Pratt,  
Ramsdell,  
Shanahan,  
W. N. Stevens,  
A. Stevens,  
Stoddard,  
Strong,  
Tibbits,  
Toll,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Speaker,

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NAYS.

Mr. Choate,  
Cox,  
Leetch,

Mr. Stewart,  
Wade,  
Wallin,

Mr. Warner,  
Waterbury,

8

Mr. Lockwood moved that a committee of conference, to con-

sist of three persons, be appointed on the part of the House to confer with a like committee on the part of the Senate, upon the matter of disagreement between the two Houses on the above named bill;

Which motion prevailed.

The Speaker appointed Messrs. Lockwood, Toll and Crego as such committee.

Also the following :

SENATE CHAMBER,  
Lansing, February 25, 1861. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to transmit the following entitled bills:

1. A bill to amend section 2581, of the compiled laws, being section 4 of an act entitled an act to provide for the collection of tolls, and for the care, charge and operating of the St. Mary's Falls ship canal, approved Feb. 12th, 1855;

2. A bill to amend section 2435, of the compiled laws, relative to the payment of moneys by purchasers of the trust funds to county treasurers;

3. A bill to assess a special tax for the improvement of the meridian line road between Lenawee and Hillsdale counties ;

4. A bill to discontinue a portion of the Allegan and Lansing State road;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first and second named bills were read a first and second time by their titles, and referred to the committee on ways and means.

The third and fourth named bills were read a first and second time by their titles, and referred to the committee on roads and bridges.

## GENERAL ORDER.

On motion of Mr. Phelps,

The House went into committee of the whole on the general order,

Mr. Howell in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled bills:

House bill No. 82, entitled

A bill for the continuation of an emigrant agency and appropriation made therefor.

House bill No. 89, entitled

A bill to provide for the registration of births, marriages and deaths.

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration House bill No. 25, entitled

A bill to amend sections 1, 5, 10, 13, 15, 16 and 19, of an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved February 17, 1857; and also to amend sections 3, 6, 7, 8, 9, 25, 26, 27, of the act amendatory thereto, entitled an act to amend sections 2, , 6, 7, 8, 9 and 12, of an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved February 17, 1857, and to amend said act by adding thereto sections 20, 21, 22, 23, 24 and 25, approved February 14, 1859.

And report the same back to the House with a recommendation that it be recommitted to the committee on agriculture and manufactures. •

The committee of the whole have also had under consideration the following entitled Senate bill:

A bill to authorize the Detroit & Milwaukee Railroad Com-



pany to issue stock in place of the original stock of the Detroit & Milwaukee Railway Company ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and ask to be discharged.

W. T. HOWELL, *Chairman.*

Report accepted and committee discharged.

The amendments to the first named bill were concurred in, and the bill ordered engrossed for a third reading.

The amendments to the second named bill were concurred in.

Mr. Pringle moved to amend the bill by inserting the words "or city" after the words "town," in the first line of sections 19 and 20, and in the third line of section 20 ;

Which motion prevailed.

Mr. Stewart moved to strike out the last clause of section 16

Which motion prevailed.

The bill was then ordered engrossed for a third reading.

On motion of Mr. Crego,

The House adjourned till to-morrow morning at 9 o'clock.

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*Lansing, Tuesday, February 26, 1861.*

House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Meyer.

Roll called : quorum present.

PETITIONS PRESENTED.

By Mr. Wheeler : remonstrance of L. O. Osborn, Thos. Mitchell, and 34 others, against vacating a portion of the plat of the village of Constantine ;

Referred to the committee on banks and incorporations.

By Mr. Fowle : petition of George French, John Devoe and 21 others, of Hillsdale county, praying for the enactment of a stringent usury law ;

Laid on the table.

By Mr. Goodrich : petition of Jabez Ashley and 18 others,

praying to have personal property exempt from taxes to an amount equal to the actual debts of the owners thereof;

Referred to the committee on ways and means.

By Mr. Piper: petition of Geo. D. Kies, Hiram Saxton, Charles Chandler, and 37 other citizens of Lenawee county, praying for the repeal of the law entitled an act to encourage the manufacture of salt in Michigan, approved February 15, 1859;

Referred to select committee on salt interest.

By Mr. W. N. Stevens: remonstrance of Joseph Pray, O. H. Wheeler, E. L. Boyden, Michael Duffy, Henry Todd, and 200 others, residents of Washtenaw county, against the repeal or alteration of the law for the encouragement of agriculture and manufactures, &c.;

Laid on the table.

By Mr. Woodman: petition of D. G. Wright and 25 others, praying for an appropriation of swamp lands for the improvement of roads in Van Buren county;

Referred to the committee on public lands.

By Mr. Pratt: petition of Lewis M. Clark, Wm. B. Harris, and 42 others, praying that a State road may be laid out from Mt. Pleasant, in Isabella county, to St. Louis, in Gratiot county;

Referred to the committee on public lands.

By Mr. Taylor: petition of J. M. Cumings, Fred M. Cumings, and 89 others, asking for a State road from Grand Rapids to Croton;

Referred to the committee on public lands.

#### REPORTS OF STANDING COMMITTEES.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill, entitled

A bill to amend section 2581, of the compiled laws, being sec. 4 of an act entitled an act to provide for the collection of tolls and for the care, charge and operating of the St. Mary's Falls ship canal, approved Feb. 12, 1855;

Have considered the same, and instructed me to report the same back and recommend its passage, and ask to be discharged from the further consideration of the same.

JAMES F. JOY, *Chairman.*

Report accepted, and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means :

The committee on ways and means, to whom was referred Senate bill entitled

A bill to amend section 2435, of compiled laws, relative to the payment of moneys by purchasers of the trust fund to county treasurers,

Have considered the same and have instructed me to report the same back to the House, and recommend its passage, and ask to be discharged from the further consideration of the same.

JAMES F. JOY, *Chairman.*

Report accepted, and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges :

The committee on roads and bridges, to whom was referred

A bill to provide for improving a certain State road from the village of Gaines, to the village of Flushing, in the county of Genesee.

Have had the same under consideration, and instructed their chairman to report the same back without amendment, and recommend the same do pass, and ask to be discharged from its further consideration.

N. K. GREEN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the judiciary committee :

The committee on the judiciary to whom was referred

House bill, entitled

A bill to authorize proceedings by garnishment in the circuit court, and for the district court of the Upper Peninsula,

Respectfully report that they have had the said bill under consideration, and return the same to the House with the accompanying amendments, recommend that the amendments be concurred in, and that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Fallass,

The House concurred in the amendments made by the committee.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend sections 190 and 211, of chapter 117, of the compiled laws, in relation to appeals from courts of justices of the peace,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted, and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations :

The committee on banks and incorporations, to whom was referred

1. A bill to amend the charter of the city of Port Huron ;
2. A bill to legalize certain loans made by the board of education, of the city of Port Huron ;
3. A bill to amend certain sections of an act entitled an act to

revise the charter of the city of Port Huron, approved February 15, 1859,

Respectfully report that they have had the same under consideration, that they believe the necessity of the second named bill will be obviated by inserting the words "heretofore and hereafter," after the word "bonds," in the fifth line of recited section 8, of that bill, which amendment they accordingly propose; that the last named bill may properly be made a part of the first named bill, and they accordingly propose the recited sections of the same as an amendment to such first named bill, to stand as parts of section 6. They have also proposed certain formal amendments to the first named bill, which are herewith submitted.

The committee take great pleasure in recommending the passage of the first named bill, when so amended, for the reason that the principal change is a total abandonment of the recorder's court provided for in the charter. In this instance, the powers of that court were unusually large, and the recorder was to be paid for his services in criminal matters directly from the State Treasury. It is believed by the committee that in but one city in the State is there business enough proper to be brought before such a court to warrant its erection. At the best, in towns with from three to five thousand inhabitants, the power proper to be conferred on such a court will hardly raise it to the dignity of that held by a justice of the peace, and like a certain other court vouched for by an honorable Senator, it will be, very possibly, "always a proper subject of contempt."

The second named bill being unnecessary, in case of the adoption of the amendment proposed to the last named bill, is returned to the House with a recommendation that it do not pass.

EUGENE PRINGLE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Sessions,

The House concurred in the amendments made by the committee to the first named bill.

On motion of Mr. Hill,

The bill was ordered engrossed for a third reading.

On motion of Mr. Pringle,

The second and third named bills were laid on the table.

#### REPORTS OF SELECT COMMITTEES.

By the select committee on the formation of companies to construct canals and harbors:

The select committee, to whom was referred

A bill to provide for the formation of companies to construct canals or harbors, and improve the same,

Hereby report the same back with certain amendments, and recommend its passage after concurring in such amendments, and further recommend that no taxes be assessed thereon until after the first day of January, A. D. 1863.

W. T. HOWELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Childs,

The House concurred in the amendments made by the committee.

Mr. Howell moved that the bill be ordered engrossed for a third reading.

Pending which motion,

Mr. Haire moved to amend the bill by inserting the words "or change," after the word "impair," in the amendment proposed to section 8.

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

#### YEAS.

Mr. Bunce,  
Chase,  
Haire,

Mr. Miller,  
Morrison,  
Toll,

Mr. Waterbury,  
T. M. Wilson,

#### NAYS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,

Mr. A. L. Green,  
Hadley,  
Henderson,  
Hemingway,

Mr. Rankin,  
Read,  
Sessions,  
Shanahan,

|              |           |                |
|--------------|-----------|----------------|
| Blakeslee,   | Hill,     | Smith,         |
| Brownell,    | Hodges,   | W. N. Stevens, |
| Childs,      | Howell,   | A. Stevens,    |
| Choate,      | Hurd,     | Stewart,       |
| Chapoton,    | Jones,    | Stoddard,      |
| Cook,        | Joy,      | Strong,        |
| Cox,         | Kanouse,  | Taylor,        |
| Cutcheon,    | Kelsey,   | Tibbits,       |
| A. W. Davis, | Leetch,   | Warner,        |
| C. Davis,    | Lockwood, | Wetherby,      |
| Ira Davis,   | Moore,    | Wheeler,       |
| Douglas,     | Persons,  | J. B. Wilson,  |
| Follett,     | Peterson, | Winans,        |
| Foote,       | Phelps,   | Woodman,       |
| Fowle,       | Piper,    | Woodward,      |
| Gilbert,     | Pratt,    | Wright,        |
| Goodrich,    | Ramsdell, | Speaker,       |
| Gregory,     |           |                |

64

Mr. Haire moved to strike out the word "harbor" wherever it occurs in the bill;

Which motion did not prevail.

The bill was then ordered engrossed for a third reading.

By the select committee on soliciting relief for Kansas sufferers:

The select committee appointed with instructions to call on the members of this House, of the Senate, and members of the "Third House," and solicit donations for the benefit of the suffering people of Kansas, beg leave respectfully to report that they have to the best, of their ability, performed the duty imposed upon them, and have collected \$288, and obtained subscriptions for \$17 more.

They have paid over to the Governor the sum of \$300, for which they herewith present the receipt of his Excellency. The committee will collect the balance at the earliest practicable day, and pay it over to the Governor, all to be transmitted to Kansas.

Respectfully submitted.

B. L. HILL,  
H. C. HURD,  
*Special Committee.*

EXECUTIVE OFFICE,  
 *Lansing, February 26, 1861. }*

Received of Hons. Messrs. Hill and Hurd, three hundred dollars, to be transmitted to the Kansas Relief Committee, at Atchison, for the relief of the suffering in that State.

AUSTIN BLAIR.

Report accepted.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Pringle moved to reconsider the vote whereby the House passed Senate bill, entitled

A bill to incorporate the city of Pontiac.

Which motion prevailed.

On motion of Mr. Pringle,

Sundry amendments were made to the bill.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

|              |             |                |
|--------------|-------------|----------------|
| Mr. Adams,   | Mr. Hadley, | Mr. Read,      |
| Alexander,   | Haire,      | Sessions,      |
| Baker,       | Henderson,  | Shanahan,      |
| Beamer,      | Hemingway,  | Smith,         |
| Blakeslee,   | Hill,       | W. N. Stevens, |
| Bunce,       | Hodges,     | A. Stevens,    |
| Chase,       | Howell,     | Stewart,       |
| Childs,      | Hurd,       | Stoddard,      |
| Choate,      | Jones,      | Strong,        |
| Chapoton,    | Joy,        | Taylor,        |
| Cook,        | Kanouse,    | Tibbits,       |
| Cox,         | Kelsey,     | Wade,          |
| Cutcheon,    | Leetch,     | Wallin,        |
| Ira Davis,   | Lockwood,   | Warner,        |
| Fallass,     | Miller,     | Wheeler,       |
| Follett,     | Moore,      | J. B. Wilson,  |
| Foote,       | Peterson,   | Winans,        |
| Fowle,       | Phelps,     | Woodman,       |
| Goodrich,    | Piper,      | Woodward,      |
| Gregory,     | Pringle,    | Speaker,       |
| N. K. Green, | Rankin,     |                |

62

NAYS.

|               |              |                  |   |
|---------------|--------------|------------------|---|
| Mr. C. Davis, | Mr. Gilbert, | Mr. A. L. Green, | 3 |
|---------------|--------------|------------------|---|



Title agreed to.

On motion of Mr. Gregory,

By a vote of two-thirds of all the members elect, the bill was ordered to take effect on the 30th day of March next.

Mr. Howell moved that the committee of the whole be discharged from the further consideration of House joint resolution, entitled

Joint resolution relative to the sale of lands for taxes in the year 1860, in the counties of Lake and Mason ;

Which motion prevailed.

Mr. Howell then moved that the bill be referred to the committee on judiciary, with instructions to report the facts in the case and their legal opinion thereon;

Which motion prevailed.

Mr. Fallass moved that the committee of the whole be discharged from the further consideration of Senate bill, entitled

A bill to amend section 2, of an act entitled an act to revise the charter of the city of Grand Rapids, approved February 14, 1857;

Which motion prevailed.

Mr. Gilbert then moved to add the following proviso to the bill :

*"Provided, That all unpaid taxes assessed on the property by this act set out of the corporate limits of the city of Grand Rapids, shall, when collected, be paid to the treasurer of said city;"*

Which motion prevailed.

On motion of Mr. Gilbert,

The rules were suspended, and the bill put on its final passage.

The bill being Senate bill, entitled

A bill to amend section 2, of an act entitled an act to revise the charter of the city of Grand Rapids, approved February 14, 1857 ;

Was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

|                |             |                |
|----------------|-------------|----------------|
| Mr. Alexander, | Mr. Hadley, | Mr. Read,      |
| Atwood,        | Haire,      | Sessions,      |
| Baker,         | Hemingway,  | Shanahan,      |
| Beamer,        | Hill,       | W. N. Stevens, |
| Blakeslee,     | Hodges,     | Stewart,       |
| Bunce,         | Howell,     | Stoddard,      |
| Chase,         | Hurd,       | Strong,        |
| Childs,        | Jones,      | Taylor,        |
| Choate,        | Joy,        | Tibbits,       |
| Chapoton,      | Kanouse,    | Toll,          |
| Cutcheon,      | Kelsey,     | Wade,          |
| C. Davis,      | Lockwood,   | Wallin,        |
| Ira Davis,     | Morrison,   | Warner,        |
| Fallass,       | Moore,      | Waterbury,     |
| Follett,       | Persons,    | Wetherby,      |
| Footte,        | Peterson,   | Wheeler,       |
| Fowle,         | Phelps,     | T. M. Wilson,  |
| Gilbert,       | Piper,      | Winans,        |
| Goodrich,      | Pratt,      | Woodman,       |
| Gregory,       | Pringle,    | Woodward,      |
| A. L. Green,   | Ramsdell,   | Speaker,       |
| N. K. Green,   | Rankin,     |                |

65

NAYS.

0

Pending the announcement of the vote,

Mr. Hemingway moved a call of the House;

Which motion prevailed.

Upon the call of the roll by the Clerk, Messrs. Brownell, Cook, Cox, Crego, Henderson, Leetch, Persons, Ramsdell, Shank and J. B. Wilson, were reported absent without leave.

On motion of Mr. Howell,

The Sergeant-at-Arms was dispatched after the absentees.

On motion of Mr. Alexander,

All further proceedings under the call were dispensed with.

Title agreed to.

On motion of Mr. Gilbert,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Lockwood moved that House bill No. 85, entitled

A bill to amend sections 1, 5, 10, 13, 15, 16 and 19, of an act entitled an act to provide for the draining of swamps, marshes,

and other low lands, approved February 17, 1857; and also to amend sections 3, 6, 7, 8, 9, 25, 26, 27, of the act amendatory thereto, entitled an act to amend sections 2, 6, 7, 8, 9 and 12, of an act entitled an act to provide for the draining of swamps, marshes, and other low lands, approved February 17, 1857, and to amend said act by adding thereto sections 20, 21, 22, 23, 24 and 25, approved February 14, 1859,

Be taken from the order of unfinished business, and recommit-  
ted to the committee on agriculture and manufactures.

Which motion prevailed.

Mr. C. Davis moved that the committee of the whole be dis-  
charged from the further consideration of House bill No. 125,  
being

A bill to organize the township of Bath, in the county of Mus-  
kegon;

Which motion prevailed.

On motion of Mr. C. Davis,

The bill was placed on the order of third reading.

Mr. Warner moved to take from the table Senate bill No. 57,  
entitled

A bill to authorize the transfer by the board of control, of a  
grant of land made to this State by an act of Congress, passed  
June 3, 1856, to aid in the construction of a railroad from  
Marquette, on Lake Superior, to the Wisconsin State line, and  
the re-location of the same;

Which motion prevailed.

On motion of Mr. Warner,

The bill was placed on the order of third reading.

Mr. Woodward offered the following :

*Resolved*, That the House hold evening sessions on and after  
Wednesday of this week;

Which was adopted.

Mr. Tibbits moved to take from the table House bill, entitled

A bill amending sections 3, 13 and 25, of chapter 150, of  
compiled laws, relating to forcible entry and detainer, and forc-  
ible detainer only;

Which motion prevailed.

Mr. Pringle then moved that the bill be indefinitely postponed;

Which motion did not prevail.

On motion of Mr. Tibbits,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Senate bill, entitled

A bill to repeal section 2, of act No. 106, of the session laws of 1840, relative to the formation of school districts embracing lands lying on both sides of Grand River,

Was read a third time, and a majority of all the members elect not voting therefor, was not passed, by yeas and nays, as follows:

#### YEAS.

|                |               |                  |
|----------------|---------------|------------------|
| Mr. Alexander, | Mr. C. Davis, | Mr. Rankin,      |
| Blakeslee,     | Ira Davis,    | Smith,           |
| Cook,          | Douglas,      | W. N. Stevens,   |
| Cox,           | Fowle,        | Warner,          |
| Crego,         | Hurd,         | Wetherby,        |
| A. W. Davis,   | Joy,          | J. B. Wilson, 18 |

#### NAYS.

|              |            |               |
|--------------|------------|---------------|
| Mr. Adams,   | Mr. Haire, | Mr. Sessions, |
| Atwood,      | Henderson, | Shanahan,     |
| Baker,       | Hodges,    | Stewart,      |
| Beamer,      | Kanouse,   | Strong,       |
| Choate,      | Leetch,    | Tibbits,      |
| Follett,     | Lockwood,  | Toll,         |
| Footo,       | Peters,    | Wade,         |
| Gilbert,     | Peterson,  | T. M. Wilson, |
| Goodrich,    | Phelps,    | Woodman,      |
| Gregory,     | Piper,     | Wright,       |
| N. K. Green, | Pratt,     | Speaker,      |
| Hadley,      | Pringle,   |               |

35

House bill, entitled

A bill to organize a school district of the Wayne county farm, and appropriate the public moneys for school purposes for the education of poor children,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|              |                  |               |
|--------------|------------------|---------------|
| Mr. Adams,   | Mr. N. K. Green, | Mr. Sessions, |
| Alexander,   | Hadley,          | Shank,        |
| Baker,       | Henderson,       | Shanahan,     |
| Beamer,      | Hemingway,       | A. Stevens,   |
| Bunce,       | Howell,          | Stewart,      |
| Chase,       | Hurd,            | Stoddard,     |
| Choate,      | Joy,             | Strong,       |
| Cook,        | Kanouse,         | Taylor,       |
| Cox,         | Kelsey,          | Tibbits,      |
| Crego,       | Leetch,          | Toll,         |
| Cutsheon,    | Lockwood,        | Wade,         |
| A. W. Davis, | Miller,          | Wallin,       |
| Ira Davis,   | Morrison,        | Warner,       |
| Fallass,     | Persons,         | Waterbury,    |
| Follett,     | Peterson,        | Wheeler,      |
| Foote,       | Phelps,          | T. M. Wilson, |
| Fowle,       | Piper,           | J. B. Wilson, |
| Gilbert,     | Pratt,           | Woodman,      |
| Goodrich,    | Ramadell,        | Woodward,     |
| Gregory,     | Rankin,          | Wright,       |
| A. L. Green, |                  |               |

61

## NAYS.

Mr. W. N. Stevens,

1

Title agreed to.

On motion of Mr. Phelps,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 82, entitled

A bill for the continuation of an emigrant agency, and appropriation made therefor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |                  |                |
|----------------|------------------|----------------|
| Mr. Alexander, | Mr. A. L. Green, | Mr. Rankin,    |
| Beamer,        | N. K. Green,     | Read,          |
| Blakeslee,     | Hemingway,       | Shank,         |
| Bunce,         | Howell,          | W. N. Stevens, |
| Chase,         | Hurd,            | Stoddard,      |
| Childs,        | Joy,             | Taylor,        |
| Chapoton,      | Lockwood,        | Tibbits,       |
| Cook,          | Miller,          | Wade,          |
| Crego,         | Morrison,        | Waterbury,     |

Outcheon,  
C. Davis,  
Ira Davis,  
Fallass,  
Follett,  
Fowle,  
Gilbert,  
Goodrich,

Persons,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,

Wetherby,  
T. M. Wilson,  
J. B. Wilson,  
Woodman,  
Woodward,  
Wright,  
Speaker,

49

### NAYS.

Mr. Adams,  
Atwood,  
Baker,  
Brownell,  
Choate,  
Cox,  
A. W. Davis,  
Douglas,  
Gregory,

Mr. Hadley,  
Haire,  
Henderson,  
Kanouse,  
Kelsey,  
Leetch,  
Sessions,  
Shanahan,

Mr. Smith,  
A. Stevens,  
Stewart,  
Strong,  
Toll,  
Wallin,  
Warner,  
Winana,

35

Title agreed to.

On motion of Mr. Lockwood,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to incorporate the village of Muskegon,

Being under consideration,

Mr. Pringle moved to commit the bill to the committee on judiciary ;

Mr. Howell moved to strike out "judiciary," and insert "banks and incorporations;"

Which motion prevailed.

The motion to commit prevailed, and the bill was committed to the committee on banks and incorporations.

Senate bill, entitled

A bill to authorize the transfer by the board of control, of a grant of land made to the State of Michigan by an act of Congress, passed June 3, 1856, to aid in the construction of a railroad from Marquette, on Lake Superior, to the Wisconsin State line, and the re-location of the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|              |                  |                |
|--------------|------------------|----------------|
| Mr. Atwood,  | Mr. A. L. Green, | Mr. Read,      |
| Baker,       | N. K. Green,     | Shanahan,      |
| Beamer,      | Hadley,          | Smith,         |
| Blakeslee,   | Haire,           | W. N. Stevens, |
| Brownell,    | Henderson,       | A. Stevens,    |
| Bunce,       | Hemingway,       | Stoddard,      |
| Chase,       | Hill,            | Strong,        |
| Childs,      | Hodges,          | Taylor,        |
| Choate,      | Joy,             | Tibbits,       |
| Chapoton,    | Kanouse,         | Toll,          |
| Cook,        | Kelsey,          | Wallin,        |
| Orego,       | Leetch,          | Warner,        |
| A. W. Davis, | Lockwood,        | Waterbury,     |
| C. Davis,    | Miller,          | Wetherby,      |
| Ira Davis,   | Morrison,        | J. B. Wilson,  |
| Douglas,     | Moore,           | T. M. Wilson,  |
| Fallass,     | Peterson,        | Winans,        |
| Follett,     | Phelps,          | Woodman,       |
| Foote,       | Pratt,           | Woodward,      |
| Fowle,       | Pringle,         | Wright,        |
| Goodrich,    | Ramsdell,        | Speaker,       |
| Gregory,     | Rankin,          |                |

45

## NAYS.

|            |          |             |
|------------|----------|-------------|
| Mr. Adams, | Mr. Cox, | Mr. Howell, |
| Alexander, | Gilbert, | Stewart,    |

6

Pending the announcement of the vote,

Mr. Adams moved that Mr. Miller be excused from voting;

Which motion did not prevail.

Mr. Miller then voted as recorded above.

Title agreed to.

On motion of Mr. Warner,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 125, entitled

A bill to organize the township of Bath, in the county of Muskegon,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows: 35

## YEAS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Blakeslee,  
Bunce,  
Chase,  
Childs,  
Chapoton,  
Cook,  
Cox,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,

Mr. Gilbert,  
Goodrich,  
A. L. Green,  
N. K. Green,  
Henderson,  
Hill,  
Howell,  
Hurd,  
Joy,  
Kelsey,  
Leetch,  
Morrison,  
Moore,  
Persons,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,

Mr. Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Wade,  
Waterbury,  
Wetherby,  
T. M. Wilson,  
J. B. Wilson,  
Woodman,  
Wright,  
Speaker, 60

## NAYS.

Mr. Atwood,  
Brownell,  
Choate,  
Gregory,  
Hadley,

Mr. Haire,  
Hodges,  
Kanouse,  
Rankin,

Mr. Toll,  
Wallin,  
Winans,  
Woodward,

13

Pending the announcement of the vote,

Mr. Leetch moved that Mr. Bunce be excused from voting ;

Which motion did not prevail.

Mr. Bunce then voted as recorded above.

Mr. Shanahan moved that Mr. Atwood be excused from voting ;

Which motion did not prevail.

Mr. Atwood then voted as recorded above.

Mr. Leetch moved that Mr. Waterbury be excused from voting ;

Which motion did not prevail.

Mr. Waterbury then voted as recorded above.

Title agreed to.

On motion of Mr. Read,



By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Kelsey,

The House took a adjourn until 2 o'clock this afternoon.

—  
AFTERNOON SESSION.

2 o'clock P. M.

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

The House resumed business under the order of

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 93, entitled

A bill to provide for the formation of companies to construct canals or harbors, and improve the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|            |                  |                |
|------------|------------------|----------------|
| Mr. Adams, | Mr. A. L. Green, | Mr. Ramsdell,  |
| Alexander, | N. K. Green,     | Rankin,        |
| Baker,     | Hadley,          | Sessions,      |
| Beamer,    | Henderson,       | Shank,         |
| Blakeslee, | Hemingway,       | Shanahan,      |
| Brownell,  | Hill,            | Smith,         |
| Chase,     | Hodges,          | W. N. Stevens, |
| Childs,    | Howell,          | A. Stevens,    |
| Choate,    | Hurd,            | Stewart,       |
| Chapoton,  | Jones,           | Strong,        |
| Cook,      | Joy,             | Taylor,        |
| Crego,     | Kanouse,         | Tibbits,       |
| Cutcheon,  | Kelsey,          | Wade,          |
| C. Davis,  | Leetch,          | Wallin,        |
| Ira Davis, | Lockwood,        | Warner,        |
| Douglas,   | Moore,           | Wetherby,      |
| Fallass,   | Persons,         | T. M. Wilson,  |
| Follett,   | Peterson,        | J. B. Wilson,  |
| Foote,     | Phelps,          | Winans,        |
| Fowle,     | Piper,           | Woodman,       |
| Gilbert,   | Pratt,           | Wright,        |
| Goodrich,  | Pringle,         | Speaker,       |
| Gregory,   |                  |                |

## NAYS.

Mr. Bunce,  
Cox,  
A. W. Davis,  
Haire,

Mr. Miller,  
Morrison,  
Stoddard,

Mr. Toll,  
Waterbury,  
Woodward,

10

Pending the announcement of the vote,

Mr. Morrison moved that Mr. Miller be excused from voting,  
Which motion did not prevail.

Mr. Miller then voted as recorded above.

Title agreed to.

On motion of Mr. Douglas,

By a vote of two-thirds of all the members elect, the bill  
was ordered to take immediate effect.

House bill No. 89, entitled

A bill to provide for the registration of births, marriages and  
deaths,

Being under consideration,

Mr. Pringle asked and obtained the unanimous consent of the  
House to amend the same, by inserting the words "of the people  
of the State of Michigan" after the word "name," in the third  
line of section 19.

Mr. Howell asked and obtained the unanimous consent of the  
House to amend the bill by striking out the words "one hun-  
dred," in the second line of section 19, and inserting in lieu  
thereof the words "twenty-five."

Mr. Wallin moved to recommit the bill to the committee on  
judiciary with instructions to add the following new section  
thereto:

Sec. 25. This act shall not take effect in any county in this  
State, until it be so ordered by a majority of the board of su-  
pervisors of such county at a regular meeting.

Which motion did not prevail.

The bill was then read a third time and passed, a majority  
of all the members elect voting therefor, by yeas and nays, as  
follows:

## YEAS.

|                |           |                |
|----------------|-----------|----------------|
| Mr. Alexander, | Mr. Hill, | Mr. Smith,     |
| Beamer,        | Howell,   | W. N. Stevens, |
| Brownell,      | Jones,    | A. Stevens,    |
| Bunce,         | Joy,      | Stewart,       |
| Childs,        | Kanouse,  | Strong,        |
| Cutcheon,      | Kelsey,   | Taylor,        |
| A. W. Davis,   | Lockwood, | Toll,          |
| Ira Davis,     | Morrison, | Warner,        |
| Douglas,       | Persons,  | Waterbury,     |
| Fallass,       | Peterson, | Wheeler,       |
| Fowle,         | Phelps,   | T. M. Wilson,  |
| Goodrich,      | Pringle,  | J. B. Wilson,  |
| A. L. Green,   | Ramsdell, | Winans,        |
| N. K. Green,   | Rankin,   | Woodward,      |
| Hadley,        | Sessions, | Speaker,       |
| Henderson,     | Shank,    |                |

47

## NAYS.

|            |            |            |
|------------|------------|------------|
| Mr. Adams, | Mr. Foote, | Mr. Piper, |
| Blakeslee, | Gilbert,   | Pratt,     |
| Chase,     | Gregory,   | Read,      |
| Choate,    | Haire,     | Stoddard,  |
| Chapoton,  | Hemingway, | Tibbits,   |
| Cook,      | Hodges,    | Wade,      |
| Cox,       | Hurd,      | Wallin,    |
| Crego,     | Leetch,    | Wetherby,  |
| C. Davis,  | Miller,    | Woodman,   |
| Follett,   | Moore,     | Wright,    |

30

Title agreed to.

## UNFINISHED BUSINESS,

Being the consideration of Senate bill No. 58, entitled

A bill to authorize the Detroit & Milwaukee Railroad Company to issue stock in place of the original stock of the Detroit & Milwaukee Railway Company.

On motion of Mr. Howell,

The bill was laid on the table.

The Speaker called Mr. Howell to the chair.

By unanimous consent, the joint special committee on the investigation of the treasury, and the official acts of the late State Treasurer, John McKinney, submitted the following report:

The joint committee of the Senate and House of Representatives, appointed to investigate the treasury department, and the official acts of John McKinney, and also the previous management of that department, and the contract for letting the work for the repairs to the St. Mary's Falls ship canal, respectfully report: That they have prosecuted their investigation as diligently and effectually as it has been in their power to do, and herewith respectfully submit the result of their labors. That the public might be made fully aware of the diligence of the committee, and also of their neglect of their duty, if any possible means of arriving at correct results have been omitted, they have been careful to record the whole testimony, as well as the questions in answer to which it has been elicited, and which is herewith also submitted. If any effort has been omitted to arrive at the whole truth, the committee is not aware of it, and whether there has been an earnest and determined investigation, all who read the testimony will be fully able to judge. It is believed that no one of the committee has had any object except to discharge faithfully the unpleasant duty with which it had been the pleasure of the Houses to charge them.

#### CANAL CONTRACT.

In the investigations of the letting of the canal contract, the committee have called before them everybody connected therewith—both all the officers who constituted the board of control which had the letting of the contract, as well as the contractors themselves—and have been enabled to investigate them very fully. The contract was not let to the lowest bidders therefor. There were several parties who proposed for the work, and their names and the bids made by each appears in connection with the testimony of the late Governor. The testimony of that gentlemen, also as well as that of the late Auditor General, detail the reasoning and the motives which led them to reject the lower bids, and accept one of the highest. In the first place, Mr. Clark, one of the contractors, seems to have been considered a man well acquainted with the business he was proposing to enter upon—was known to some of the board of control as

a man of energy, enterprise and reliability. The sureties which Mr. Clark and his associate, Holmes, offered for the due fulfillment of their contract, if it should be awarded to them, Eber B. Ward, Philo Parsons, Z. Chandler and John Owen, were all citizens of this State, and men of known wealth and responsibility. The Board of Control, therefore, seems to have considered that, in awarding the contract to Clark & Holmes, with such sureties for its performance as the gentlemen above named, they were better consulting the interests of the State, than they would have been, had they let the work for a few thousands of dollars less, but to contractors of less ability, and offering less satisfactory surety for its performance, and who might possibly fail in completing it, as the terms of the contract might require. In this, the committee cannot say that they acted unwisely. The committee have endeavored to ascertain, both from direct testimony and from circumstances, whether any parties connected with the Board of Control, or with the State Government, had in any way, directly or otherwise, any interest with the contractors, in the profits of the work. All the direct testimony, however, repels this idea, and directly contradicts it. The engineer, who estimated the expense of the work, on the supposition that it was to be done by the State directly, estimated its cost to be something more than the contractors undertook to do it for; and though Mr. Holmes, when asked what the work cost, and the profits of the work, declined to answer, Mr. Clark states the cost to have been between \$55,000 and \$70,000. The contract has undoubtedly been a profitable one, but not to such an extent as to create an impression, much less belief, in the minds of the committee, that there was any collusion at the letting, and especially as all positive testimony contradicts and repels such an idea. On this subject the committee feel themselves compelled to express the conviction that this contract was fairly let, and that if there has been any error or mistake in the transaction, it has been only in judgment; and that there is nothing connected with it, indicating in any

way, official misconduct, or want of integrity, on the part of any public officer connected with it.

#### CANAL LOAN.

The committee have also given some attention to the sale of canal bonds, so called, and the transaction with Hazleton & Co., which resulted in the deposit with them, by the late Treasurer, of \$50,000. This sale of bonds seems to have been conducted with but little regard to the principles which govern such transactions in the money market. The bonds were advertised, and bids therefor received in April, and the loan was then awarded to Hazleton & Co., as the highest bidders. It does not seem to have been contemplated that the transaction should be then closed. The bonds were yet to be prepared, and they were not in fact to be delivered until the July following. The variableness of the money market is such that it is rare that a responsible party will bid for such a loan to-day when the transaction is not to be closed for two or three months. In the meantime, the value in the market of such securities, changes with all the changes which affect the price of money. To make such a transaction, therefore, so long beforehand, and leave it unclosed until July, when the money seems to have been wanted to pay the coupons upon the State bonds, was to run imminent risk that the transaction would fall through and the State suffer dishonor, unless, what is hardly supposable, a party of unquestionable responsibility could be found to enter into so hazardous a contract as to agree upon a present price for bonds to be delivered a long time in the future. What was to have been apprehended, came actually to pass. A change in the market value of money—a pretended change in the value of the bonds on account of questions as to the right of the State to issue the same, gave Hazleton & Co. an excuse to decline fulfilling the contract. The late Treasurer seems to have been utterly unfit to manage such a transaction, and to have been surrounded by friends who were as unfit as himself—as incompetent certainly, if not more to blame than himself.

The late State Treasurer Holmes, McKinney's predecessor,

had sold to this same Hazleton & Co. \$216,000 of State bonds during the the time of his treasurership. The transaction was some months before Holmes retired from office. The price agreed to be paid for these bonds by Hazleton & Co., had not been fully paid when both Mr. Holmes and Whitney Jones, the Auditor General at that time, went out of office. The whole amount of the premiums being between \$3,000 and \$4,000 agreed to be paid, had never been realized. Whitney Jones had had his attention called to this fact soon after his term of office expired, had examined the Auditor's books, and had ascertained that the money had never been reported by the treasurer as paid. He accompanied McKinney to New York as his adviser and friend. Mr. Holmes was there also. Both consulted together, and it was by their advice that McKinney seems to have been guided. Holmes had been one of the original bidders for the loan as a competitor of Hazleton & Co., had been in New York when the loan was awarded to them. He had never then mentioned to the Governor or Treasurer that Hazleton & Co. had failed to pay the full price of the first loan sold them. Neither he nor Jones, in July, when Hazleton & Co., declined to take the bonds unless McKinney would credit them or lend \$50,000 of the amount, and while they were acting as his advisers and friends, informed him that Hazleton & Co. had defaulted in the first transaction to the amount of probably upwards of \$3,000, but on the contrary advised him that Hazleton & Co., were perfectly responsible and honorable men, who always lived up to and fulfilled their contracts, and that the \$50,000 would be perfectly safe with them. Had Mr. Holmes been frank with the Governor, and stated this default of Hazleton & Co. upon the first contract, they would not have been allowed to become bidders for the loan. Had either of them subsequently stated the fact to McKinney, he could not, supposing him to be sane, have parted with the bonds to Hazleton & Co., until he should have received every dollar of the price to be paid therefor. Whether Mr. Holmes'

conduct is to be explained by a fact mentioned by Mr. Dewey in his testimony and hereafter alluded to, that Hazleton & Co. had lent him money, the people must judge. The impression of the committee is, that in that transaction the late Treasurer was more sinned against than sinning. He was utterly incompetent, doubtless, but nevertheless he seems to have done wrong under the advice of friends who should have advised him better.

There are several circumstances connected with the conduct of Mr. Holmes, both when in office and after he had retired from it, which seem very difficult of justification. Though the custom did not originate with him, but prevailed before his time, yet it seems to have been continued by him as well as his successor, of keeping the accounts with the various banks where the funds were deposited, not upon the regular books, but upon books called sometimes "side books." The deposits for some years have been made with depositories upon interest of five per cent., and during the administrations of Mr. Holmes, this item of interest was a large one. And yet there is nothing in the office to show where the money was deposited, the amount of interest which was justly due the State upon them, or anything by which the amount of interest which really accrued to the State can be ascertained. Money is entered as having been received on account of interest in gross sums, without anything to designate from whom received or on what account. Whether the interest so entered as paid be all the interest that was due the State, or whether it was all that was received, there is no means of knowing. That this mode of stating accounts or keeping books leaves the door wide open to any fraud which a public officer may see fit to commit, is apparent to all. That any have been committed during Mr. Holmes' administration may not be true, but if not, it is certainly not for the want of the most ample opportunity to do it without fear of detection.

He seems to have been in the habit of depositing with, or lending money to, one C. L. Anthony, of New York, and when



he retired from office there was an account of \$15,000 and upwards against said Anthony, which was turned over by Mr. Holmes to Mr. McKinney as cash. About half this amount remained unpaid until the present treasurer came into office. It has since been settled, but without interest for 1860, by being deducted from the amount due the contractors for the repairs upon the canal, of whom Mr. Holmes was one. At the close of his term also there was a draft from the Detroit Advertiser office, in his favor, on Hosmer & Kerr, for \$826, which they had refused to pay, having, as they state, previously paid the same. This was left in the office as so much cash, and so receipted by McKinney. In adjusting a running account with these gentlemen, the deputy treasurer, Mr. Hunter, seems to have had address enough to deduct the amount of this draft from moneys due them, and the amount remains now a subject of controversy between them and the treasury office.

There has already been an allusion to the conduct of Mr. Holmes, in connection with the negotiations with Hazelton & Co. He did not require them to pay the full price of the first bonds sold them, and yet he delivered to them all the bonds. About the same time he received from them, in a loan or loans, money to the amount of \$3,800, and it seems to have been the understanding that he was not to be called upon to repay it, it having been also understood, as it would appear, that the amount of the premium was to remain uncalled for, or that the amount lent Holmes, should apply as a payment thereof. When asked himself if he had informed the parties negotiating with Hazelton & Co. for the canal loan, of the failure of that firm to comply with this previous contract, and that they had failed to pay the premium agreed to be paid; his reply was that he had not, and the reason was that he still thought at that time that he might yet get the money, and this though he had been out of office some months. It seems clear to the committee, that in this transaction itself with Hazelton & Co., and in all his subsequent conduct, in not informing either the Governor, when the information would have prevented

the giving the loan to Hazleton & Co., and afterwards, when the same information must have prevented the transaction with regard to the \$50,000, are altogether at variance with the duty incumbent upon him. The first, that is, letting Hazleton & Co. have the \$216,000 of bonds before the price was fully paid, was official malfeasance, by which the State lost, less, to be sure, than by the same kind of conduct on the part of McKinney, afterward; but the act was of the same character as the subsequent one by which \$100,000 of bonds were delivered, and only fifty-three thousand paid. If the fact that Hazleton & Co. let Holmes have money to about a little more than the premium on the \$216,000 of bonds sold them by him, furnish the explanation of his conduct; then the transaction assumes a still darker complexion, if it does not become positive corruption, or embezzlement. The second, to wit: that he did not make known the fact either to the Governor or McKinney, at any time during the negotiation of the canal loan, while utterly at variance with his duty, taken in connection with the reasons assigned by himself for not doing it, can hardly fail to strengthen the unpleasant suspicion which arises from the other circumstances connected with the original transaction.

The committee have no desire to give a character to any of these transactions which they should not bear. To be compelled to bestow censure instead of praise is no agreeable office. They would, however, deem themselves not acting up to the duty imposed upon them, if they allow a series of events like these to pass without the most marked expressions with regard to them.

There is some conflict of testimony between Mr. Holmes and Mr. Hunter, relative to the disposal of the "side books," upon which accounts with the depositories of public moneys were kept during his term of office, and we pass that topic by, merely remarking that they are not to be found in the Treasurer's office.

#### MCKINNEY'S OFFICIAL CONDUCT.

The official conduct of the late Treasurer, McKinney, has been subject to as rigid an investigation as it has been within the

power of the committee to give it. The refusal of McKinney himself to answer any questions, of course has deprived them of one direct means of knowledge. The manifest complicity of his deputy Treasurer, Hunter, with himself, in all the malpractices which have taken place in connection with the funds of the office—the duplicity and insincerity of his testimony, determinedly and designedly shaped so as to conceal every transaction possible to be concealed, and to assign a false reason for every transaction which could not be concealed, which will be apparent to every reader of his testimony—the destruction by him of all the books and papers of the office, upon which all its accounts were kept with banks and other depositories of public moneys—all have contributed to embarrass the committee in its efforts to arrive at the full extent of the peculations which have been committed by McKinney, Hunter and others, if any others have been connected with them. Still, however, enough has been discovered to show the character of the men and of the transactions which have taken place, while the manner in which the accounts have been kept, has been such that it is clear that a considerable amount of public money has been at their mercy, and if they have not used it when opportunity offered to do so without detection, it would be conduct so entirely inconsistent with transactions impossible to be concealed, as to challenge the credulity even of the most incredulous.

Mr. Hunter was a deputy of the predecessor of Mr. McKinney. He seems to have been a ready accomplice, and willing and zealous to aid him in destroying every thing which could by any means enable the committee to trace those accounts where most easily money might be abstracted without discovery. When he went out of office, he deliberately and carefully burned, and that since this Legislature has been in session, all the books upon which the accounts of the Treasurer were kept, with all banks and other depositories, and many other papers of the office also. So thoroughly was this done, that there remained nothing in the office to show any account with any

bank or individual depositary. The difficulty, therefore, which the committee has met with from these causes has been so great, as doubtless to prevent the discovery of many practices which would otherwise have appeared.

What can be the object in this careful destruction of books and papers belonging to the Treasury department, and upon which important official accounts were kept, unless it be to prevent investigation, and cover up fraud? Honesty fears no examination, dreads not the closest scrutiny, but even invites it.

Why keep important accounts, such as those with banks of deposit, upon what is called "side books," at all? Why keep all the transactions of the treasury, where there is an opportunity to purloin money, upon books which may be so easily taken away and destroyed? Why are accounts so loosely kept as to utterly baffle investigation in many respects, and even then not permitted to survive the term of office of the party, during whose term the transaction then recorded, took place? The committee feel compelled to say frankly and plainly, that there can be but one motive for such conduct. Parties thus acting, cannot be innocent. They have been pilfering the public moneys, and these are the ways resorted to, to cover up and conceal the amount of the frauds committed, from public attention. There is no degree of public censure too great to be visited upon all parties, whether principals or accomplices, who have been engaged in transactions of this nature.

The committee, however, after all, are compelled to say that, within the last two years, no very great amount of the public moneys can have been lost. There are certain accounts, such as the interest accruing to the State upon the public moneys on deposit in various places, commissions paid, or purporting to have been paid, to brokers, or bankers, for paying the interest of the State debt, items of exchange, and other transactions of a similar nature, which involved, perhaps, the payment of considerable sums of money. In all such cases, there seems to have been no check, or means of guarding against fraud; and considerable amounts of money, for such items, seem to have

been allowed to, or taken by, McKinney, upon no other voucher than his own statement. These amounts, in whole or in part, may not have been paid by him ; all the interest upon the public moneys may not have been credited by him, and it is probable they were not ; but have been, to some extent, appropriated by him and his deputy, Mr. Hunter. It is gratifying, however, to know that, though sums which could be thus appropriated, might amount to some few thousands of dollars, they could amount to no very large sum. The amount of public moneys on deposit the past two years, has been too small, and the other items, where these opportunities existed, are not, altogether, sufficiently large to admit of any considerable frauds by their means.

In addition to these, which are minor matters, there is no doubt or question but that the late Treasurer has used money which came into his hands as Treasurer, and belonging to the State, to some amount above twenty-three thousand dollars. He has received and receipted for, as Treasurer, from the Detroit and Milwaukee Railroad Company, the tax of that company for the last year, which has never been credited upon the Treasury books, amounting to, including interest paid thereon, \$23,000 ; also, \$500, unpaid balance of Hunter's draft on McKinney, when the present Treasurer came into office, for July coupons. In addition to these things, also, there is a discrepancy of \$2,100 in the cash accounts of the office, the money being short that amount. Of these items, there seems to be no doubt. There appears, also, to be afloat, some checks drawn by the late Treasurer upon the Insurance Bank, which may increase his default to some extent. There are other items for which McKinney is legally and justly chargeable, though they cannot be considered as embezzled by him. Of these items, is the large one of \$50,000, lent to Hazleton & Co., under the circumstances above stated. Also, an item of \$1,580 31, being the amount of Lansing City Orders found in the Treasury, and for which the deputy of the Treasurer had given money, in order, either to secure himself from loss, or to aid a brother engaged in grading

some of the streets of the city—all evidences, at least, of weakness and utter unfitness, and incompetency of both officers for their places—though not in themselves criminal, except in so far as they were violations of duty, and of law.

And indeed regard for law seems to have been a virtue held in but little repute by these parties, as all the practices of the office show. The law requires that no money shall be paid from the treasury except upon the warrant of the Auditor General, and yet it seems to have been a general practice to advance money from the treasury to any parties doing business with or for the State, as if upon an accoquat current, and in anticipation of a warrant thereafter to be obtained. At the close of the last year there were various items of this sort in the treasury, and amounting to considerable sums, among which was one item of \$20,000 advanced to the contractors upon the St. Mary's Canal, Clarke & Holmes, and various other items. And it was upon this practice that the ingenious deputy, Hunter, based his justification, in giving his brother \$1500 of the public money for Lansing city orders, because at some future time the treasury might have funds derived from taxes upon non-resident lands in the city which would be to the credit of the city. A statement of these items found in the treasury will be found in the testimony of Mr. Owen.

The committee have not much to say of the value of the lands held by mortgage from Dewey and Hazleton & Co, as security for the fifty thousand dollars lent Hazleton & Co. The notes enumerated in the testimony of the late Attorney General are probably utterly worthless, all of them. The value of the lands it has been impossible to ascertain. On this subject the committee can only express the hope, though perhaps a precarious one, that the property may be sufficiently valuable to enable the State in the end to realize the money for which it stands as security. For all information upon this subject, the committee refer to the testimony of the late Attorney General and Mr. Dewey.

In conclusion, the committee may venture to express the hope

that, with an act already passed this session, to bring the accounts of the Treasurer, and the condition of the funds belonging to the State in his hands, monthly to a close scrutiny of other officers of the State, and another bill now pending to regulate more certainly the manner in which accounts shall be kept in the treasury office, no such state of things can probably again occur; and having said this, they respectfully submit the result of their most disagreeable duty to the legislature, having, so far as they had ability, sought to discharge it at least faithfully and without fear.

H. P. BALDWIN,

*Chairman of Senate Committee.*

JAMES F. JOY,

*Chairman of House Committee.*

G. C. JONES,

THOS. D. GILBERT.

I concur in the above report, except so much of it as approves of the letting of the contract for repairs of the St. Mary's Falls Ship Canal to Clark & Holmes.

WM. BROWNELL.

Report accepted and committee discharged.

On motion of Mr. Sessions,

The report was ordered printed in the journal, and two thousand extra copies of the report, with the accompanying papers, were ordered printed for the use of the House.

#### GENERAL ORDER.

On motion of Mr. Sessions,

The House went into committee of the whole on the general order,

Mr. Pringle in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

1. House bill, entitled

A bill giving to lumbermen a lien on logs and lumber for their personal services;

And report the same back to the House with a recommendation that it be recommitted to the judiciary committee.

2. House bill No. 47, entitled

A bill to amend section 4, of chapter thirty-four, of the revised statutes of 1846, being section 1315, of the compiled laws, relating to usury;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and ask to be discharged.

EUGENE PRINGLE, *Chairman.*

Report accepted and committee discharged.

Mr. Howell moved that the first named bill be referred to a select committee of five;

Which motion prevailed, and the bill was so referred.

Mr. Wallin moved that the second named bill be ordered to a third reading;

Pending which motion,

Mr. Howell offered the following as a substitute for the bill:

A BILL to regulate the interest on money loaned, and other contracts and liabilities.

SECTION 1. *The People of the State of Michigan enact*, That the rate of interest upon the loan or forbearance of any money, goods or things in action, shall be seven dollars upon one hundred dollars, and after that rate for a greater or less sum, or for a longer or shorter time.

Sec. 2. No person or corporation shall, directly or indirectly, take or receive in money, goods or things in action, or in any other way, any greater sum or greater value, for the loan or forbearance of any money, goods or things in action than is above prescribed.

Sec. 3. Every person who, for any such loan or forbearance, shall pay or deliver any greater sum or value than is above allowed to be received, his personal representatives may recover in an action against the person who shall have taken or



received the same, and his personal representatives, the amount of the money so paid or value delivered above the rate aforesaid, with all costs of suit, if such action be brought within one year after such payment or delivery.

Sec. 4. If such suit be not brought within the said one year, and prosecuted with effect, then the said sum may be sued for and recovered with costs, at any time within three years after the said one year, by any overseer of the poor of the township where such payment may have been made, or by any county superintendent of the poor of the county in which the payment may have been made, and the moneys when so recovered by such overseer or superintendent, shall be appropriated to the support of the poor for such township or county.

Sec. 5. All bonds, bills, notes, assurances, mortgages, conveyances, all other contracts or securities whatsoever, and all deposits of goods or other things whatsoever, whereupon or whereby there shall be reserved or taken, or secured, or agreed to be reserved or taken any greater sum or greater value, for the loan or forbearance of any money, goods, or things in action, than is above prescribed in this act, shall be void; but this section shall not extend to any bills of exchange or promissory notes payable to order or bearer in the hands of an endorsee or holder who shall have received the same in good faith, and for a valuable consideration, and before the maturity of the same, and who had not, at the time of discounting such bill or note, or paying such consideration for the same, actual notice or knowledge that such bill or note had been originally given for a usurious consideration, or upon a usurious contract.

Sec. 6. Every person offending against the provisions of this act, shall be compelled to answer on oath, any bill that may be exhibited against him in any court of chancery, for the discovery of any sum of money, goods or things in action so taken, accepted or received in violation of the foregoing provisions, or either of them, and in any suit at law arising under this act, the parties, or any or either of them may be witnesses, either in

their own behalf or for the opposite party, with the same privileges and liabilities as other and disinterested witnesses.

Sec. 7. Every person who shall discover and repay or return the money, goods, or other things so taken, accepted or received, or the value thereof before suit at law, or bill in chancery in regard to the same, shall be acquitted and discharged from any other or further forfeiture, penalty or punishment which he may have incurred by taking or receiving the money, goods or other things so discovered and repaid, or returned as aforesaid.

Sec. 8. No sale of property connected with the loan of money or any other shift or device shall prevent the inquiry as to the usurious nature of the transaction, and if the court or jury find that any such subterfuge has been resorted to for the purpose of concealing any usurious transaction in violation of this act, the claim arising thereon shall be void.

Sec. 9. For the purpose of calculating interest, a month shall be considered the twelfth part of a year and as consisting of thirty days, and interest for any number of days less than a month, shall be estimated by the proportion which such number of days shall bear to thirty.

The question being upon the adoption of the substitute,

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the substitute was not adopted, by yeas and nays, as follows :

#### YEAS.

Mr. Adams,  
Childs,  
Cox,  
Crego,  
A. W. Davis,  
C. Davis,

Mr. Follett,  
Fowle,  
Hodges,  
Howell,  
Kanouse,

Mr. A. Stevens,  
Stoddard,  
Taylor,  
Tibbits,  
Wade,

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#### NAYS.

Mr. Alexander,  
Atwood,  
Baker,  
Beamer,  
Brownell,  
Bunce,

Mr. Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Haire,

Mr. Phelps,  
Piper,  
Pringle,  
Rankin,  
Shanahan,  
Smith,

|            |            |                |
|------------|------------|----------------|
| Chase,     | Henderson, | W. N. Stevens, |
| Choate,    | Hurd,      | Stewart,       |
| Chapoton,  | Jones,     | Strong,        |
| Cook,      | Joy,       | Wallin,        |
| Cutcheon,  | Kelsey,    | Waterbury,     |
| Ira Davis, | Lockwood,  | T. M. Wilson,  |
| Fallass,   | Moore,     | Woodward,      |
| Foote,     | Peterson,  | Speaker,       |
| Gilbert,   |            | 43             |

Pending the announcement of the vote,

Mr. Shanahan moved that Mr. Jones be excused from voting;

Which motion did not prevail.

Mr. Jones then voted as recorded above.

The question recurring upon ordering the bill to a third reading,

Pending which,

On motion of Mr. Taylor,

The House adjourned till to-morrow morning at 9 o'clock

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*Lansing, Wednesday, February 27; 1861.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Merrill.

Roll called: *querum present.*

The Speaker called Mr. Howell to the chair.

#### PETITIONS PRESENTED.

By Mr. Taylor: petition of J. M. Cuming, F. M. Cuming, and 42 others, asking for a stringent usury law;

Laid on the table.

By Mr. Taylor: petition of B. Saxton, J. M. Cuming, and 37 others, against the appointment of commissioners to treat with traitors, and against repealing the personal liberty laws;

Laid on the table.

By Mr. Fallass: petition of A. H. King and 58 others, for an appropriation of swamp lands on a State road in Ionia, Kent and Barry counties;

Referred to the committee on public lands.

By Mr. Adams: remonstrance of O. J. Woodard and 27 others, against the repeal of the personal liberty laws;

Laid on the table.

By Mr. Cooley; remonstrance of H. C. Thurber, T. J. Drake and 150 others, citizens of Pontiac, against the passage of the bill to incorporate the city of Pontiac;

Laid on the table.

By Mr. Peters: petition of M. B. Davis, James Brown, and 38 others, asking for a repeal of the salt bounty law;

Referred to the special committee on salt interest.

By Mr. Hood: petition of William White and 28 others, asking for a repeal of the salt bounty law;

Referred to the special committee on salt interest.

By Mr. Ramsdell: petition of Perry Hannah, Morgan Bates and 25 others, in Traverse City, asking that the State procure the patents for the swamp lands from the general government, in the county of Grand Traverse, and bring the same into market;

The petition was laid on the table, and ordered printed in the journal.

The following is the petition:

*To the Honorable the Senate and House of Representatives of the State of Michigan:*

The undersigned, citizens of Grand Traverse county, would respectfully represent to your honorable body that there are in the county of Grand Traverse and its attached territory (Antrim, Leelenaw and Kalkaska), one hundred and forty-six thousand three hundred acres of swamp land which has not yet been patented to the State by the general government. A large proportion of this land would be immediately taken up and improved by actual settlers if it could be brought into market; and the policy of the State in withholding it, together with the large grant of lands to railroad companies, have materially retarded the settlement, growth and prosperity of one of the most healthy and fertile portions of Michigan.

In the counties of Manistee and Wexford, lying directly south

of and adjoining this county, there are seventy-five thousand acres of swamp land not yet patented. The Newaygo and Northport State road, now under contract to Traverse City, passes through a large portion of these lands in Wexford county, and the settlement on the line of that road will be retarded until they are brought into the market.

Yours petitioners would respectfully ask your honorable body to devise some means by which these lands may be speedily brought into market.

Perry Hannah,

Morgan Bates,

P. D. Greeman,

Orselas Evans,

Cuyler Germaine,

William Holdworth,

E. L. Sprague,

John Francis Grant,

John H Benton,

Joseph Hesler,

M. L. Leach,

Daniel Case, jr.,

Smith Barns,

Jacob Barns,

Theron Bostwick.

#### REPORTS OF STANDING COMMITTEES.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to legalize the tax rolls in the several townships of Houghton county,

Also, House bill entitled

A bill to confirm the tax roll of the townships of Copper Harbor, Eagle Harbor, Houghton, Portage and L'Ance, in the county of Houghton, for the years 1858, 1859, and 1860,

Respectfully report that they have had said bills under consideration, report them back with the recommendation that they do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bill were laid on the table.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend an act entitled an act further to preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors.

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bill was laid on the table.

By the judiciary committee :

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend sections 3483, chapter 113, compiled laws, regulating the recording and authentication of notice of lis pendens,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bill was placed on the order of third reading.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend section 23, of chapter 106, of the revised statutes of 1846, being section 4461 of the compiled laws, relative to levy and sale of goods on execution pledged by way of mortgage,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do

pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted, and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to authorize Eber B. Ward to receive toll upon a canal constructed by him in the county of St. Clair, and which drains a body of swamp lands,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend section 63, of chapter 60, of the revised statutes of 1846, being section 2505 of the compiled laws, relative to trespasses on the public lands,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on judiciary :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend sections 14 and 16, and repeal section 15, of chapter 134 of the compiled laws, in relation to actions of ejectment,

Respectfully report that they have had the said bill under consideration, return the same to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted, and committee discharged.

On motion of Mr. A. L. Green,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to repeal an act entitled an act to amend an act entitled an act to reorganize the county of Emmet, approved February 8, 1858,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

By the judiciary committee:

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend section 8, of act No. 138, of the session laws of 1859, entitled an act to provide for the trial of offenses upon information,



Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to provide for the election of superintendents of the county poor,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. A. L. Green,

The bill was laid on the table.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to change the name of Alice Case;

Also,

A bill to change the name of a minor child, in Lenawee county,

Respectfully report that as a general law has been passed this session which will attain the objects of these bills, they recommend that they do not pass, and ask to be discharged from the further consideration of the same.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bills were laid on the table.

By the judiciary committee:

The committee the judiciary, to whom was referred House bill, entitled

A bill to repeal an act entitled an act in relation to vacancies filled by appointment by the Governor,

Respectfully report that they have considered the same and report the same back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Gregory,

The bill was laid on the table.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend sections 188 and 193, of chapter 117, compiled laws of 1857, relative to entrance fees of appealed suits in circuit or district courts,

Respectfully report that they have had the same under consideration, and report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wallin,

The bill was laid on the table.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill relating to wills,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. A. L. Green,

The bill was laid on the table.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend the charter of East Saginaw, to provide for the duties of circuit court commissioner to be exercised by the recorder of East Saginaw ;

Also, a petition for the same,

Respectfully report that they have had the same under consideration, report them back with the recommendation that the bill do not pass, and the prayer of the petitioners be not granted, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Alexander,

The bill and petition were laid on the table.

By the judiciary committee:

The committee on the judiciary, to whom was committed House bill, entitled

A bill to provide for the reorganization and government of the University of Michigan;

Also sundry petitions for the same,

Respectfully report that they have had the same under consideration, report them back with a recommendation that the bill do not pass, that the prayer of the petitioners be not granted, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Sessions,

The bill was laid on the table.

On motion of Mr. Outcheon,

Leave was granted the petitioners to withdraw the petition.

By the committee on supplies and expenditures:

The committee on supplies, who were directed to have the picture of Grand Rapids framed and placed in the library, beg leave to report that they have procured the said picture framed at a cost of \$3 63, and placed it in the care of the State Librarian, and ask to be discharged from the further consideration of the same.

WM. PHELPS, *Chairman.*

Report accepted and committee discharged.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures, to whom was referred House bill, entitled

A bill to provide for the removal of stagnant waters,

Would respectfully report that they have had the same under consideration, and finding already upon our statute books laws, that in the opinion of your committee, are far better calculated to accomplish that object than the provisions of this bill could do, have instructed their chairman to report the said bill back to the House, recommend that the same do not pass, and ask to be discharged from the further consideration thereof.

JAMES WEBSTER CHILDS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Sessions,

The bill was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred House bill, entitled

A bill authorizing the trustees of the Methodist Episcopal Church of Muskegon in the county of Muskegon to mortgage their church edifice and lands;

Also, two petitions from the trustees of the said church,

Respectfully report the same back to the House without amendment of the bill, and with a recommendation that the prayer of the petitioners be granted by passing the bill, and ask to be discharged from the further consideration thereof.

EUGENE PRINGLE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred House bill, entitled

A bill to legalize a mortgage executed by the trustees of the first congregational society of Newark,

Respectfully report that they have had the same under consideration, and return the bill back to the House, without amendment, with a recommendation that it do pass, and ask to be discharged from the further consideration thereof.

EUGENE PRINGLE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. A. L. Green,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize the trustees of the Second Society of the Methodist Episcopal Church of Detroit to mortgage real estate,

Respectfully report that they have had the same under consideration, and return the bill to the House with a recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

EUGENE PRINGLE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. A. L. Green,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred House bill, entitled

A bill to amend section 1 of an act to incorporate the village of Hastings, approved February 13, 1855;

And also the petition of Wm. S. Goodyear and others, for the amendment proposed in the bill,

Respectfully report that they have had the same under con-

sideration, return them to the House without amendment of the bill, and recommend its passage, and ask to be discharged from the further consideration thereof.

EUGENE PRINGLE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bill was placed on the order of third reading.

By the committee on banks and incorporations :

The committee on banks and incorporations, to whom was referred House bill, entitled

A bill to amend an act to authorize the conveyance of a certain lot in the village of Lansing, to the trustees of the society of the Church of the United Brethren in Christ, in said village, approved Feb. 4, 1859,

Respectfully report that they have had the same under consideration, and return the same to the House with a recommendation that it do pass, and ask to be discharged from the further consideration thereof.

E. PRINGLE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Sessions,

The bill was placed on the order of third reading.

By the judiciary committee :

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to change the name of John Gregg to Charles Welcome Hill,

Respectfully report that they have had the said bill under consideration, return the same to the House, with the accompanying amendments, recommending that the amendments be concurred in and that it do pass, and ask to be discharged from the further consideration of the subject.

E. PRINGLE, *for committee.*

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the amendments made by the committee.

On motion of Mr. Pringle,

The bill was placed on the order of third reading.

By the committee on roads and bridges :

The committee on roads and bridges, to whom was referred Senate bill, entitled

A bill to discontinue a portion of the Allegan and Lansing State road,

Have had the same under consideration, and have instructed me to report the same back without amendment, recommend its passage, and ask to be discharged from its further consideration.

N. K. GREEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. N. K. Green,

The bill was placed on the order of third reading

By the committee on engrossment and enrollment :

The committee on engrossment and enrollment report as correctly enrolled, signed and presented to the Governor, the following entitled bills :

A bill to amend sections 8, 9, 16 and 18, of chapter 94, of the revised statutes of 1846, the same being chapter 118 of the compiled laws, relative to criminal proceedings before justices of the peace;

Also,

A bill to amend section 33, chapter 109, of the revised statutes of 1846, being section 4648, of the compiled laws, relative to partition of lands owned by several persons;

Also,

A bill to amend section 5 of an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853;

Also,

A bill to organize the township of Hamlin, in the county of Mason;

Also,

A bill to establish the county seat of Mason county;

Also,

A bill relative to levies of executions on real estate;

Also,

A bill to authorize certain highways to be laid out less than four rods wide.

A. L. GREEN, *Chairman.*

Report accepted.

By the committee on public lands:

The committee on public lands, to whom was referred House bill, entitled

A bill to amend sub-division 2, of act No. 117, of session laws 1859, being an act to provide for the drainage and reclamation of swamp lands by means of State road and ditches,

Would respectfully report that they have had the same under consideration, and have proposed an amendment to the same and herewith report the same back to the House, and when so amended recommend its passage, in all of which the concurrence of the House is asked, and ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

J. C. WATERBURY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Fallass,

The House concurred in the amendment made by the committee.

On motion of Mr. C. Davis,

The bill was ordered engrossed for a third reading.

#### MESSAGES FROM THE SENATE.

The Speaker *pro tem* announced the following :

SENATE CHAMBER,  
Lansing, February 27, 1861. }

To the Speaker of the House of Representatives :

SIR:—I am instructed by the Senate to inform the House that Senators Stout, Coulter and French have been appointed on the part of the Senate, to confer with the committee on the part of the House relative to the difference between the two Houses, on



amendments made by them respectively, to Senate bill No. 33, entitled

A bill compelling mining companies in the Upper Peninsula of Michigan, to file with the county treasurer of the county in which they are doing business, a list of their stockholders, and the amount of the indebtedness of the companies.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The message was laid on the table.

Also the following :

SENATE CHAMBER,  
*Lansing, February 26, 1861.* }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to inform the House that the *enacting clause* of the bill, entitled

A bill to provide for the marking or branding of horses, cattle, sheep and swine,

Which bill was returned to the Senate for its further action, now lies on the table of the Senate.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Hodges offered the following:

*Resolved*, (the Senate concurring,) That the Legislature of Michigan, now in session, adjourn *sine die* on Tuesday, the 12th day of March, A. D. 1861, at 12 o'clock M.

Laid on the table one day, under the rules.

Mr. Tibbits moved to take from the table the following resolution:

*Resolved*, (the Senate concurring,) That the Legislature of Michigan, now in session, adjourn *sine die* on Thursday, the 14th day of March, A. D. 1861, at 12 o'clock M.

Mr. Adams demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

## YEAS.

|              |              |                |
|--------------|--------------|----------------|
| Mr. Adams,   | Mr. Fowle,   | Mr. Piper,     |
| Alexander,   | Goodrich,    | Pringle,       |
| Atwood,      | A. L. Green, | Rankin,        |
| Baker,       | N. K. Green, | Sessions,      |
| Blakeslee,   | Haire,       | Shanahan,      |
| Brownell,    | Henderson,   | Smith,         |
| Bunce,       | Hemingway,   | W. N. Stevens, |
| Chase,       | Hodges,      | Stewart,       |
| Childs,      | Hood,        | Strong,        |
| Choate,      | Howell,      | Taylor,        |
| Cook,        | Hurd,        | Tibbits,       |
| Cox,         | Kanouse,     | Toll,          |
| Crego,       | Leetch,      | Wade,          |
| Cutcheon,    | Miller,      | Wallin,        |
| A. W. Davis, | Morrison,    | Wetherby,      |
| C. Davis,    | Moore,       | Wheeler,       |
| Ira Davis,   | Peters,      | J. B. Wilson,  |
| Foots,       | Peterson,    | Woodman, 54    |

## NAYS.

|             |             |               |
|-------------|-------------|---------------|
| Mr. Beamer, | Mr. Hadley, | Mr. Shank,    |
| Chapoton,   | Hill,       | A. Stevens.   |
| Cooley,     | Joy,        | Stoddard,     |
| Fallass,    | Persons,    | Waterbury,    |
| Follett,    | Phelps,     | T. M. Wilson, |
| Gilbert,    | Read,       | Woodward, 18  |

The question recurring upon the adoption of the resolution,

Mr. Adams moved to strike out "14th," and insert "7th;"

Mr. Alexander demanded the previous question.

The demand was seconded, and the main question ordered.

The question being upon the adoption of the amendment, it was not adopted, by yeas and nays, as follows:

## YEAS.

|            |               |                |
|------------|---------------|----------------|
| Mr. Adams, | Mr. Goodrich, | Mr. Rankin,    |
| Blakeslee, | Gregory,      | Read,          |
| Chase,     | Haire,        | Sessions,      |
| Choate,    | Henderson,    | W. N. Stevens, |
| Cox,       | Hodges,       | Strong,        |
| Crego,     | Kelsey,       | Wade,          |
| Cutcheon,  | Pringle,      | Wetherby, 21   |

## NAYS.

|                |             |               |
|----------------|-------------|---------------|
| Mr. Alexander, | Mr. Hadley, | Mr. Shank,    |
| Atwood,        | Hemingway,  | Shanahan,     |
| Baker,         | Hill,       | Smith,        |
| Beamer,        | Hood,       | A. Stevens,   |
| Bunce,         | Howell,     | Stewart,      |
| Childs,        | Hurd,       | Stoddard,     |
| Chapoton,      | Joy,        | Taylor,       |
| Cook,          | Kanouse,    | Tibbits,      |
| Cooley,        | Leetch,     | Toll,         |
| A. W. Davis,   | Lockwood,   | Wallin,       |
| C. Davis,      | Miller,     | Warner,       |
| Ira Davis,     | Morrison,   | Waterbury,    |
| Douglas,       | Moore,      | T. M. Wilson, |
| Fallass,       | Persons,    | J. B. Wilson, |
| Follett,       | Peters,     | Winans,       |
| Foots,         | Peterson,   | Woodman,      |
| Fowle,         | Phelps,     | Woodward,     |
| Gilbert,       | Piper,      | Wright,       |
| A. L. Green,   | Ramsdell,   | 56            |

The question recurring upon the adoption of the resolution, it was not adopted, by yeas and nays, as follows:

## YEAS.

|                |               |                |
|----------------|---------------|----------------|
| Mr. Alexander, | Mr. Goodrich, | Mr. Rankin,    |
| Baker,         | A. L. Green,  | Read,          |
| Blakeslee,     | Hemingway,    | Shanahan,      |
| Bunce,         | Hodges,       | W. N. Stevens, |
| Chase,         | Hurd,         | Strong,        |
| Childs,        | Miller,       | Tibbits,       |
| Cook,          | Morrison,     | Wade,          |
| Crego,         | Moore,        | Wallin,        |
| Cutcheon,      | Peterson,     | Wetherby,      |
| Foots,         | Piper,        | J. B. Wilson,  |
| Fowle,         | Pringle,      | Woodman, 32    |

## NAYS.

|              |                |               |
|--------------|----------------|---------------|
| Mr. Adams,   | Mr. Henderson, | Mr. Sessions, |
| Atwood,      | Hill,          | Shank,        |
| Beamer,      | Hood,          | Smith,        |
| Choate,      | Howell,        | A. Stevens,   |
| Chapoton,    | Jones,         | Stewart,      |
| Cooley,      | Joy,           | Stoddard,     |
| A. W. Davis, | Kanouse,       | Taylor,       |
| C. Davis,    | Kelsey,        | Toll,         |
| Ira Davis,   | Leetch,        | Warner,       |
| Douglas,     | Lockwood,      | Waterbury,    |

Fallase,  
Follett,  
Gilbert,  
Gregory,  
Hadley,  
Haire,

Persons,  
Peters,  
Phelps,  
Pratt,  
Ramadell,

Wheeler,  
T. M. Wilson,  
Winans,  
Woodward,  
Wright,

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Mr. Hadley moved to reconsider the vote by which the House passed Senate bill, entitled

A bill to incorporate the city of Pontiac:

On motion of Mr. Sessions,

The motion was laid on the table.

Mr. Hurd moved that from and after this evening, the time of speaking be limited to ten minutes on any one subject, without unanimous consent of this House.

Laid on the table, under the rules.

Mr. Lockwood moved that the committee of the whole be discharged from the further consideration of Senate bill, entitled

A bill to provide for the redemption of the bonds of the State, maturing January 1st, 1863;

Which motion prevailed.

Mr. Joy moved to make the bill the special order for to-morrow afternoon, at 2 o'clock;

Which motion prevailed.

Mr. Lockwood moved that the committee of the whole be discharged from the further consideration of Senate bill, entitled

A bill to amend an act entitled an act to revise the charter of the city of Detroit, approved February 5, 1857;

Which motion prevailed.

On motion of Mr. Pringle,

The bill was placed on the order of third reading.

Mr. Pringle moved to take from the table House bill, entitled

A bill to authorize the Jackson county agricultural society to mortgage certain real estate;

Which motion prevailed.

On motion of Mr. Pringle,

The bill was placed on the order of third reading.

Mr. Morrison moved to take from the table House bill No. 188, entitled

A bill to apportion anew the representatives among the several counties and districts of this State;

Which motion prevailed.

On motion of Mr. Morrison,

The bill was made the special order for to-morrow evening at seven and a half o'clock.

Mr. Joy moved to take from the table Senate bill, entitled

A bill to authorize the Detroit & Milwaukee Railway Company to issue stock in place of the original stock of the Detroit & Milwaukee Railway Company;

Which motion prevailed.

On motion of Mr. Joy,

The bill was placed on the order of third reading.

Mr. Haire moved that the committee of the whole be discharged from the further consideration of Senate bill, entitled

A bill to amend section 1 of an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches;

Which motion prevailed.

On motion of Mr. Haire,

The bill was placed on the order of third reading.

Mr. Tibbits moved that the committee of the whole be discharged from the further consideration of House bill No. 147, entitled

A bill to provide for the manner of equalizing the assessment rolls by the board of supervisors of the county of Wayne;

Which motion prevailed.

On motion of Mr. Tibbits,

The bill was placed on the order of third reading.

Mr. Moore offered the following:

*Resolved*, That no member shall speak but once on any subject under discussion until he shall first ask consent of this House.

Laid on the table under the rules.

Mr. Atwood moved to reconsider the vote by which the House resolved to hold evening sessions on and after Wednesday of this week.

Mr. Morrison moved to lay the motion on the table.

Which motion prevailed.

Mr. Lockwood moved to suspend the rule prohibiting the third reading of bills on the same day they are reported by a committee;

Which motion prevailed.

### THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill entitled

A bill to legalize a mortgage executed by the trustees of the First Congregational Society of Newark,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Adams,  
Alexander,  
Atwood,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Cheats,  
Chapoton,  
Cook,  
Cooley,  
Gox,  
Grego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallase,  
Foots,  
Fowle,  
Gilbert,

Mr. Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,  
Hurd,  
Jones,  
Joy,  
Kaneuse,  
Kelsey,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,

Mr. Pratt,  
Ramsdell,  
Rankin,  
Read,  
Sessions,  
Shank,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
T. M. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,

## NAYS.

Mr. Howell,                      Mr. Shanahan,                      Mr. Wheeler,                      3

Title agreed to.

On motion of Mr. Wallin,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill authorizing the trustees of the Methodist Episcopal Church of Muskegon, in the county of Muskegon, to mortgage their church edifice and lands,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|            |              |                |
|------------|--------------|----------------|
| Mr. Adams, | Mr. Gilbert, | Mr. Pringle,   |
| Alexander, | Goodrich,    | Ramsdell,      |
| Atwood,    | Gregory,     | Rankin,        |
| Beamer,    | A. L. Green, | Read,          |
| Blakeslee, | N. K. Green, | Sessions,      |
| Brownell,  | Hadley,      | Shank,         |
| Bunce,     | Henderson,   | Shanahan,      |
| Chase,     | Hemingway,   | Smith,         |
| Childs,    | Hill,        | W. N. Stevens, |
| Choate,    | Howell,      | A. Stevens,    |
| Chapoton,  | Hurd,        | Stewart,       |
| Cook,      | Joy,         | Stoddard,      |
| Cooley,    | Kanouse,     | Strong,        |
| Cox,       | Kelsey,      | Taylor,        |
| Crego,     | Lockwood,    | Tibbits,       |
| Cutcheon,  | Morrison,    | Toll,          |
| C. Davis,  | Peterson,    | Wallin,        |
| Ira Davis, | Phelps,      | Waterbury,     |
| Douglas,   | Piper,       | Woodman,       |
| Fallass,   | Pratt,       | Wright,        |
| Fowle,     |              |                |

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## NAYS.

Title agreed to.

On motion of Mr. Read,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to authorize the trustees of the second society of the Methodist Episcopal Church of Detroit to mortgage real estate,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|              |              |                |
|--------------|--------------|----------------|
| Mr. Adams,   | Mr. Gilbert, | Mr. Pratt,     |
| Alexander,   | Goodrich,    | Pringle,       |
| Atwood,      | Gregory,     | Rankin,        |
| Beamer,      | A. L. Green, | Read,          |
| Blakeslee,   | N. K. Green, | Sessions,      |
| Bunce,       | Hadley,      | Shank,         |
| Chase,       | Hill,        | Shanahan,      |
| Childs,      | Hodges,      | Smith,         |
| Choate,      | Howell,      | W. N. Stevens, |
| Chapoton,    | Hurd,        | A. Stevens,    |
| Cook,        | Joy,         | Stewart,       |
| Cooley,      | Kanouse,     | Stoddard,      |
| Cox,         | Kelsey,      | Strong,        |
| Crego,       | Leetch,      | Taylor,        |
| Cutsheon,    | Lockwood,    | Tibbits,       |
| A. W. Davis, | Miller,      | Wade,          |
| C. Davis,    | Morrison,    | Wallin,        |
| Ira Davis,   | Peters,      | Waterbury,     |
| Douglas,     | Peterson,    | T. M. Wilson,  |
| Fallase,     | Phelps,      | Woodman,       |
| Foots,       | Piper,       | Woodward,      |
| Fowle,       |              |                |

68

## NAYS.

0

Title agreed to.

On motion of Mr. Douglas,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 58, entitled

A bill to authorize the Detroit & Milwaukee Railroad Company to issue stock in place of the original stock of the Detroit & Milwaukee Railway Company,

Being under consideration,

Mr. Joy asked and obtained the unanimous consent of the House to amend the same, by adding thereto the following:

*“ Provided further, That neither the foreclosure of the mortgage upon the road and franchises of said company, nor any*



thing in the act in relation to mortgages against preferred stocks in and delivery of goods by railway companies, approved February 10, 1859, or in this act, shall be construed in any way so as to affect the rule of taxation as provided in the charter of the said company, and which shall continue to be one per cent. upon the capital stock originally paid in, and upon such stock as may hereafter be paid in to said company."

The bill was then read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|              |              |             |
|--------------|--------------|-------------|
| Mr. Adams,   | Mr. Gregory, | Mr. Pratt,  |
| Alexander,   | A. L. Green, | Pringle,    |
| Atwood,      | N. K. Green, | Ramsdell,   |
| Baker,       | Hadley,      | Rankin,     |
| Beamer,      | Haire,       | Read,       |
| Blakeslee,   | Henderson,   | Sessions,   |
| Bunce,       | Hemingway,   | Shank,      |
| Chase,       | Hill,        | Smith,      |
| Childs,      | Hodges,      | A. Stevens, |
| Choate,      | Hood,        | Stewart,    |
| Chapoton,    | Howell,      | Stoddard,   |
| Cook,        | Hurd,        | Strong,     |
| Cooley,      | Joy,         | Taylor,     |
| Cox,         | Kanouse,     | Tibbits,    |
| Grego,       | Kelsey,      | Toll,       |
| A. W. Davis, | Leetch,      | Wade,       |
| O. Davis,    | Lockwood,    | Warner,     |
| Ira Davis,   | Morrison,    | Waterbury,  |
| Douglas,     | Moore,       | Wetherby,   |
| Fallass,     | Persons,     | Wheeler,    |
| Follett,     | Peters,      | Winans,     |
| Foote,       | Peterson,    | Woodward,   |
| Fowle,       | Phelps,      | Wright,     |
| Goodrich,    | Piper,       |             |

71

## NAYS.

|            |               |                     |
|------------|---------------|---------------------|
| Mr. Jones, | Mr. Shanahan, | Mr. T. M. Wilson, 8 |
|------------|---------------|---------------------|

Title agreed to.

On motion of Mr. A. W. Davis,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

**House bill, entitled**

A bill to authorize the Jackson County Agricultural Society to borrow money and mortgage certain real estate to secure the payment of the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

**YEAS.**

|              |               |               |
|--------------|---------------|---------------|
| Mr. Adams,   | Mr. Goodrich, | Mr. Pratt,    |
| Alexander,   | A. L. Green,  | Pringle,      |
| Atwood,      | N. K. Green,  | Rankin,       |
| Baker,       | Hadley,       | Read,         |
| Beamer,      | Haire,        | Sessions,     |
| Blakeslee,   | Henderson,    | Shank,        |
| Brownell,    | Hemingway,    | Shanahan,     |
| Bunce,       | Hill,         | Smith,        |
| Chase,       | Hodges,       | Stewart,      |
| Childs,      | Hood,         | Strong,       |
| Choate,      | Howell,       | Taylor,       |
| Chapoton,    | Jones,        | Tibbits,      |
| Cook,        | Joy,          | Toll,         |
| Crego,       | Kanouse,      | Wade,         |
| Cutcheon,    | Kelsey,       | Warner,       |
| A. W. Davis, | Leetch,       | Waterbury,    |
| O. Davis,    | Lockwood,     | Wetherby,     |
| Ira Davis,   | Miller,       | Wheeler,      |
| Douglas,     | Morrison,     | T. M. Wilson, |
| Fallass,     | Moore,        | Winans,       |
| Follett,     | Peters,       | Woodman,      |
| Foote,       | Peterson,     | Woodward,     |
| Fowle,       | Piper,        | Wright,       |
| Gilbert,     |               |               |

70

**NAYS.**

Mr. Cooley, Mr. Cox,

2

Title agreed to.

On motion of Mr. Pringle,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

**Senate bill, entitled**

A bill to discontinue a portion of the Allegan and Lansing State road,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|            |               |               |
|------------|---------------|---------------|
| Mr. Adams, | Mr. Goodrich, | Mr. Pringle,  |
| Alexander, | A. L. Green,  | Ramsdell,     |
| Baker,     | N. K. Green,  | Rankin,       |
| Beamer,    | Hadley,       | Read,         |
| Blakeslee, | Haire,        | Sessions,     |
| Brownell,  | Henderson,    | Shank,        |
| Bunce,     | Hemingway,    | Shanahan,     |
| Chase,     | Hill,         | Smith,        |
| Childs,    | Hodges,       | Stewart,      |
| Choate,    | Hood,         | Stoddard,     |
| Chapoton,  | Howell,       | Streng,       |
| Cook,      | Hurd,         | Taylor,       |
| Cox,       | Joy,          | Tibbits,      |
| Crego,     | Kanouse,      | Toll,         |
| Cutcheon,  | Kelsey,       | Wallin,       |
| C. Davis,  | Lockwood,     | Waterbury,    |
| Ira Davis, | Morrison,     | Wetherby,     |
| Fallass,   | Moore,        | T. M. Wilson, |
| Follett,   | Persons,      | Winans,       |
| Foots,     | Peterson,     | Woodman,      |
| Fowle,     | Piper,        | Woodward,     |
| Gilbert,   | Pratt,        | Wright,       |

66

## NAYS.

Mr. Miller, 1

Pending the announcement of the vote,

Mr. Fallass moved that Mr. Ira Davis be excused from voting;

Which motion did not prevail.

Mr. Ira Davis then voted as recorded above.

Title agreed to.

Senate bill, entitled

A bill to amend section 8483, chapter 113, of the compiled laws, regulating the recording and authentication of notices of lispendens,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|            |                |              |
|------------|----------------|--------------|
| Mr. Adams, | Mr. Henderson, | Mr. Pringle, |
| Alexander, | Hemingway,     | Rankin,      |
| Baker,     | Hill,          | Sessions,    |
| Beamer,    | Hodges,        | Shank,       |
| Brownell,  | Hood,          | Shanahan,    |

Bunce,  
Childs,  
Choate,  
Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Fallase,  
Foltett,  
Foote,  
Fowle,  
Goodrich,  
A. L. Green,  
N. K. Green,  
Hadley,  
Haire,

Howell,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Piper,  
Pratt,

Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Wetherby,  
Waterbury,  
Winans,  
Woodward,  
Wright, 63

## NAYS.

Mr. Cox,

1

Title agreed to.

House bill, entitled

A bill to amend an act to authorize the conveyance of a certain lot in the village of Lansing, to the trustees of the Society of the Church of the United Brethren in Christ, in the said village, approved February 4, 1859,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,  
Baker,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cook,  
Cooley,  
Cox,  
Cutcheon,  
A. W. Davis,  
Ira Davis,  
Fallase,

Mr. N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hodgea,  
Howell,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Lockwood,  
Miller,  
Morrison,  
Moore,

Mr. Pringle,  
Ramsdell,  
Rankin,  
Sessions,  
Shank,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Taylor,  
Tibbits,  
Wade,  
Wallin,  
Warner,  
Waterbury,

Follett,  
Foote,  
Fowle,  
Goodrich,  
Gregory,  
A. L. Green,

Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,

Wetherby,  
Winans,  
Woodman,  
Woodward,  
Wright,

65

NAYS

0

Title agreed to.

On motion of Mr. Hodges,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to amend an act entitled an act to amend section 1 of an act to incorporate the village of Hastings, approved February 13, 1855,

Was read a third time and passed, a majority of the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cook,  
Cooley,  
Cox,  
Crego,  
Cutcheon,  
A. W. Davis,  
G. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Fowle,  
Gilbert,

Mr. Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hill,  
Hood,  
Howell,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Lockwood,  
Miller,  
Moore,  
Peters,  
Peterson,  
Phelps,  
Piper,

Mr. Pringle,  
Ramsdell,  
Rankin,  
Read,  
Sessions,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Winans,  
Woodman,  
Woodward,  
Wright,

69

NAYS.

0

Title agreed to.

On motion of Mr. Henderson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 28, entitled

A bill to amend an act entitled an act to revise the charter of the city of Detroit, approved February 5th, 1857,

Being under consideration,

On motion of Mr. Joy,

The reading of the bill *in extenso* was dispensed with.

The bill was then read a third time by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|            |                  |                |
|------------|------------------|----------------|
| Mr. Adams, | Mr. A. L. Green, | Mr. Pringle,   |
| Alexander, | N. K. Green,     | Raakin,        |
| Atwood,    | Hadley,          | Read,          |
| Baker,     | Haire,           | Sessions,      |
| Beamer,    | Henderson,       | Shank,         |
| Blakeslee, | Hemingway,       | Smith,         |
| Brownell,  | Hill,            | W. N. Stevens, |
| Chase,     | Hodges,          | A. Stevens,    |
| Childs,    | Howell,          | Stoddard,      |
| Choate,    | Jones,           | Strong,        |
| Chapoton,  | Joy,             | Taylor,        |
| Cook,      | Kanouse,         | Toll,          |
| Cooley,    | Kelsey,          | Wade,          |
| Cutcheon,  | Leetch,          | Wallin,        |
| Ira Davis, | Lockwood,        | Warner,        |
| Douglas,   | Miller,          | Waterbury,     |
| Fallass,   | Moore,           | Wetherby,      |
| Follett,   | Persons,         | T. M. Wilson,  |
| Foote,     | Peters,          | Winans,        |
| Fowle,     | Peterson,        | Woodman,       |
| Gilbert,   | Phelps,          | Woodward,      |
| Goodrich,  | Piper,           | Wright,        |
| Gregory,   | Pratt,           |                |

68

#### NAYS.

Mr. Stewart,

1

Title agreed to.

On motion of Mr. Lockwood,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill, entitled

A bill to amend section 1 of an act entitled "an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches," being act 117 of the session laws of 1859,

Being under consideration,

On motion of Mr. Pratt,

The bill was committed to a select committee of five.

The Speaker *pro tem.* appointed Messrs. Pratt, C. Davis, Pringle, Morrison and T. M. Wilson as such committee.

Senate bill, entitled

A bill to change the name of John Gregg to Charles Welcome Hill,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|              |             |                |
|--------------|-------------|----------------|
| Mr. Adams,   | Mr. Hadley, | Mr. Rankin,    |
| Alexander,   | Haire,      | Read,          |
| Atwood,      | Henderson,  | Shank,         |
| Beamer,      | Hemingway,  | W. N. Stevens, |
| Blakeslee,   | Hill,       | A. Stevens,    |
| Brownell,    | Hodges,     | Stewart,       |
| Bunce,       | Hood,       | Stoddard,      |
| Chase,       | Howell,     | Strong,        |
| Childs,      | Hurd,       | Tibbits,       |
| Choate,      | Joy,        | Toll,          |
| Cook,        | Kanouse,    | Wallin,        |
| Crego,       | Kelsey,     | Warner,        |
| Cutcheon,    | Leetch,     | Waterbury,     |
| A. W. Davis, | Miller,     | Wetherby,      |
| Ira Davis,   | Morrison,   | Wheeler,       |
| Douglas,     | Persons,    | T. M. Wilson,  |
| Fallass,     | Peters,     | J. B. Wilson,  |
| Follett,     | Phelps,     | Winans,        |
| Foote,       | Piper,      | Woodward,      |
| Gilbert,     | Pratt,      | Woodward,      |
| A. L. Green, | Pringle,    | Wright,        |
| N. K. Green, | Ramsdell,   |                |

65

NAYS.

0

Title agreed to.

On motion of Mr. Pringle,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to amend subdivision 2, of section 1, of act No. 117, of the session laws of 1859, being an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches,

Being under consideration,

On motion of Mr. Pringle,

The bill was committed to the special committee to whom was referred Senate bill, entitled

A bill to amend section 1 of an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, being act No. 117, of the session laws of 1859.

House bill, entitled

A bill to repeal an act entitled an act to amend an act entitled an act to reorganize the county of Emmet, approved February 3d, 1858,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

|              |             |               |
|--------------|-------------|---------------|
| Mr. Adams,   | Mr. Hadley, | Mr. Ramsdell, |
| Alexander,   | Haire,      | Rankin,       |
| Atwood,      | Henderson,  | Sessions,     |
| Baker,       | Hemingway,  | Shank,        |
| Beamer,      | Hodges,     | Smith,        |
| Blakeslee,   | Hood,       | A. Stevens,   |
| Bunce,       | Howell,     | Stewart,      |
| Chase,       | Hurd,       | Stoddard,     |
| Choate,      | Joy,        | Strong,       |
| Cook,        | Kanouse,    | Taylor,       |
| Cooley,      | Kelsey,     | Tibbits,      |
| Cox,         | Leetch,     | Toll,         |
| Outcheon,    | Lockwood,   | Wallin,       |
| A. W. Davis, | Miller,     | Waterbury,    |
| O. Davis,    | Morrison,   | Wetherby,     |



Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Gilbert,  
Goodrich,  
A. L. Green,

Moore,  
Persons,  
Peters,  
Phelps,  
Piper,  
Pratt,  
Pringle,

Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright, 66

NAYS.

0

Title agreed to.

On motion of Mr. Ramsdell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 147, entitled

A bill to provide for the manner of equalizing the assessment rolls by the board of supervisors of the county of Wayne,

Being under consideration,

Mr. Tibbits asked and obtained the unanimous consent of the House to amend the same by inserting after the word "shall," in the third line of section 1, the words "under the authority of the board;" also to amend the fourth line by inserting after the word "shall," the words "under like authority."

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Adams,  
Alexander,  
Atwood,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cook,  
Cooley,  
Cox,  
Crego,  
Cutcheon,

Mr. A. L. Green,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,

Mr. Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,

|              |           |               |    |
|--------------|-----------|---------------|----|
| A. W. Davis, | Lockwood, | Wheeler,      |    |
| C. Davis,    | Morrison, | T. M. Wilson, |    |
| Ira Davis,   | Moore,    | J. B. Wilson, |    |
| Douglas,     | Persons,  | Winans,       |    |
| Fallass,     | Piper,    | Woodman,      |    |
| Follett,     | Pratt,    | Woodward,     |    |
| Fowle,       | Pringle,  | Wright,       |    |
| Gilbert,     | Ramsdell, | Speaker,      |    |
| Goodrich,    | Rankin,   |               | 74 |

## NAYS.

Mr. Peterson, Mr. Phelps, 2

Title agreed to.

On motion of Mr. Tibbits,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Lockwood asked and obtained the unanimous consent of the House to move that the special order for this evening, being House bill, entitled

A bill to repeal sections two, three and four of an act entitled "an act to protect the rights and liberties of the inhabitants of this State;

And

A bill to amend section 25, of chapter 153, of the revised statutes of 1856, the same being section 5735 of the compiled laws of 1857, as amended by act No. 189, of the session laws of 1859,

Be postponed until Thursday, the 7th day of March, at 7½ o'clock P. M.;

Mr. C. Davis moved to strike out the words "Thursday, the 7th," and insert "Saturday, the 9th;"

Which was withdrawn.

The motion to postpone then prevailed.

Mr. Shank moved that the committee of the whole be discharged from the further consideration of House bill, entitled

A bill to amend an act entitled an act to incorporate the city of Lansing, approved February 15th, 1859;

Which motion prevailed.

On motion of Mr. Shank,

The bill was recommitted to the committee on banks and incorporations.

On motion of Mr. Adams,

The House adjourned until this afternoon at 2 o'clock.

—  
AFTERNOON SESSION.

2 o'clock P. M.

The House met pursuant to adjournment, and was called to order by the Speaker *pro tem*.

Roll called : quorum present.

The House resumed business under the order of

UNFINISHED BUSINESS,

Being the consideration of House bill No. 47, entitled

A bill to amend section 4, of chapter thirty four, of the revised statutes of 1846, being section 1315, of the compiled laws, relating to usury;

On motion of Mr. Lockwood,

The bill was laid on the table.

Mr. Sessions moved that the committee of the whole be discharged from the further consideration of House bill, entitled

A bill to amend certain sections of an act entitled an act to establish a House of Correction for juvenile offenders, approved February 10th, 1855, as amended by an act entitled an act to amend certain sections of an act entitled an act to establish a House of Correction for juvenile offenders, approved February ninth, eighteen hundred and fifty-five, approved February 10th, 1857, and to amend section two of said last mentioned act;

Which motion prevailed.

On motion of Mr. Sessions,

The rules were suspended, and the bill put upon its final passage.

The bill was read a third time, and pending the taking of the vote,

Mr. Pringle moved to recommit the bill to the committee on

judiciary, with instructions to substitute therefor the following bill :

A bill to amend certain sections of an act entitled an act to establish a House of Correction for juvenile offenders, approved February 10th, 1855, as amended by an act entitled an act to amend certain sections of an act entitled an act to establish a House of Correction for juvenile offenders, approved February ninth, eighteen hundred and fifty-five, approved February 10th, 1857, and to amend section two of said last mentioned act.

Sec. 1. *The People of the State of Michigan enact*, That sections ten and twelve of the said act to establish a house of correction for juvenile offenders, as amended by said act of February tenth, eighteen hundred and fifty-seven, be and the same are hereby amended so as to read as follows :

Sec. 10. From and after the time that said institution shall be prepared for the reception of offenders, every male person under the age of sixteen years, who shall be convicted of an offense punishable by imprisonment in the State prison, except in the case of offences punishable by imprisonment for life, shall be sentenced to the reform school for juvenile offenders, until he shall be twenty-one years of age ; and it shall be the duty of all courts sentencing offenders to said reform school, to certify to the keeper of said reform school the age of the person so committed, as nearly as can be ascertained by testimony taken under oath before such court, or in such other manner as the court shall direct ; and no person shall be detained in custody in said institution, after he shall have become twenty-one years of age.

Sec. 12. Whenever said institution shall be so far completed as to allow of the reception and proper discipline of juvenile offenders, it shall be lawful for all courts of record, having criminal jurisdiction, in the proper exercise thereof, and said courts are hereby severally authorized to sentence any offender of the respective classes contemplated by this act, to the said reform school.

Sec. 2. Section two, of the said amendment, approved Feb-

ruary 10th, 1857, being an act to amend an act, approved February 10, 1855, "to establish a house of correction," be and the same is hereby amended by striking out the word one where it occurs before thousand, and inserting the word two, so that the section shall read as follows:

Sec. 2. The Auditor General is hereby authorized and required to draw his warrants on the State Treasurer, for such sums as the board of control of said house of correction shall from time to time direct, but such sums so drawn at any one time shall not exceed two thousand dollars, and no further sum shall be drawn until satisfactory vouchers are presented to, and allowed by the board of State Auditors for the amount previously drawn: *Provided*, That the amounts so drawn shall not in any case exceed the amount appropriated for that purpose.

The question being upon recommitting with the above instructions,

Mr. Pringle demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows :

#### YEAS.

|              |            |                    |
|--------------|------------|--------------------|
| Mr. Adams,   | Mr. Haire, | Mr. W. N. Stevens, |
| Cook,        | Henderson, | Stewart,           |
| Cooley,      | Hemingway, | Stoddard,          |
| Cox,         | Hood,      | Strong,            |
| Crego,       | Miller,    | Wade,              |
| Follett,     | Peters,    | Wallin,            |
| Fowle,       | Peterson,  | Winans,            |
| Gilbert,     | Pringle,   | Woodman,           |
| N. K. Green, | Sessions,  |                    |

26

#### NAYS

|                |             |             |
|----------------|-------------|-------------|
| Mr. Alexander, | Mr. Hadley, | Mr. Pratt,  |
| Baker,         | Hill,       | Ramsdell,   |
| Beamer,        | Hodges,     | Read,       |
| Blakeslee,     | Howell,     | Shank,      |
| Brownell,      | Hurd,       | Shanahan,   |
| Bunce,         | Jones,      | Smith,      |
| Chase,         | Joy,        | A. Stevens, |
| Childs,        | Kanouse,    | Taylor,     |
| Choate,        | Kelsey,     | Tibbitts,   |
| Chapoton,      | Leetch,     | Toll,       |

Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Goodrich,  
A. L. Green,

Lockwood,  
Morrison,  
Moore,  
Persons,  
Phelps,  
Piper,

Warner,  
Wetherby,  
T. M. Wilson,  
J. B. Wilson,  
Woodard,  
Wright, 48

Pending the announcement of the vote,

Mr. Gregory moved that Mr. A. Stevens be excused from voting;

Which motion did not prevail.

Mr. A. Stevens then voted as recorded above.

The question recurring upon the passage of the bill,

Mr. Sessions demanded the previous question.

The demand was seconded, and the main question ordered.

The bill, being House bill, entitled

A bill to amend certain sections of an act entitled an act to establish a House of Correction for juvenile offenders, approved February 10, 1855, as amended by an act entitled an act to amend certain sections of an act entitled an act to establish a House of Correction for juvenile offenders, approved February 9, 1855, approved February 10, 1857, and to amend section two of said last mentioned act,

Was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Baker,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Fallass,  
Fowle.

Mr. Goodrich,  
A. L. Green,  
Hadley,  
Hill,  
Hood,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Leetch,  
Lockwood,  
Morrison,  
Persons,  
Peters,  
Phelps,

Mr. Pratt,  
Ramsdell,  
Rankin,  
Read,  
Shank,  
Smith,  
A. Stevens,  
Taylor,  
Tibbits,  
Toll,  
Wetherby,  
T. M. Wilson,  
J. B. Wilson,  
Woodward,  
Wright, 45

## NAYS.

|              |            |                |
|--------------|------------|----------------|
| Mr. Adams,   | Mr. Haire, | Mr. Shanahan,  |
| Alexander,   | Henderson, | W. N. Stevens, |
| Atwood,      | Hemingway, | Stewart,       |
| Cook,        | Hodges,    | Stoddard,      |
| Cooley,      | Kelsey,    | Strong,        |
| Cox,         | Miller,    | Wade,          |
| Crego,       | Moore,     | Wallin,        |
| Douglas,     | Peterson,  | Wheeler,       |
| Follett,     | Piper,     | Winans,        |
| Gilbert,     | Pringle,   | Woodman,       |
| N. K. Green, | Sessions,  | 32             |

The question being upon agreeing to the title,

Mr. Lockwood offered the following as a substitute therefor:

A bill to amend sections 1 and 2 of the act entitled an act to amend certain sections of an act to establish a house of correction for juvenile offenders, approved February 10, 1855, which act hereby amended was approved February 10, 1857;

Which substitute was adopted.

The title was then agreed to.

Mr. Pringle moved that the committee of the whole be discharged from the further consideration of the following entitled bills:

1. House bill No. 88, entitled

A bill to repeal act No. 244, of the session laws of 1859, and to amend section 345, of the compiled laws, in relation to the powers and duties of the boards of supervisors of the several counties;

2. House bill No. 95, entitled

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, and an act amendatory thereto, approved February 12, 1855, and an act amendatory thereto, approved February 4, 1858;

3. House bill No. 94, entitled

A bill to repeal an act entitled an act to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence, approved March 17, 1847;

4. House bill No. 91, entitled

A bill to amend an act entitled an act for the encouragement of agriculture, manufactures and the mechanic arts, approved March 16, 1849, and the act amendatory thereto, approved February 6, 1855;

Which motion prevailed.

On motion of Mr. Pringle,

The several bills were considered as in committee of the whole.

Thereupon the House proceeded to consider the several bills, as in committee of the whole, and after some time spent therein the Speaker *pro tem.* reported to the House as follows:

The House, as in committee of the whole, have had under consideration House bill No. 88, entitled

A bill to repeal act No. 244 of the session laws of 1849, and to amend section 345 of the compiled laws, in relation to the powers and duties of the board of supervisors of the several counties;

Have amended the same by striking out the first section thereof.

Also, House bill No. 95, entitled

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved Feb. 14, 1853, and an act amendatory thereto, approved February 12, 1855, and an act amendatory thereto approved February 4, 1858;

Have made sundry amendments thereto.

Also, House bill No. 94, entitled

A bill to repeal an act entitled an act to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence, approved March 17, 1847;

Have made no amendments thereto.

Also, House bill No. 91, entitled

A bill to amend an act entitled an act for the encouragement of agriculture, manufacture and the mechanic arts, approved



March 16, 1849, and the act amendatory thereto, approved February 6, 1855;

Have made no amendments thereto.

The several bills having been gone through with, the Speaker *pro tem.* announced the question before the House to be upon concurring in the action that had been had by the House, acting as in committee of the whole.

On motion of Mr. Childs,

The first named bill was laid on the table.

On motion of Mr. Sessions,

The amendments to the second named bill were concurred in, and the bill ordered engrossed for a third reading.

On motion of Mr. Childs,

The third named bill was laid on the table.

On motion of Mr. Tibbits,

The rules were suspended, and the fourth named bill put upon its final passage.

On motion of Mr. Childs,

The reading of the bill *in extenso* was dispensed with.

The bill, being House bill No. 91, entitled

A bill to amend an act entitled an act for the encouragement of agriculture, manufacture and the mechanic arts, approved March 16, 1849, and the act amendatory thereto, approved February 6, 1855,

Was then read a third time, by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

|                |                  |             |
|----------------|------------------|-------------|
| Mr. Alexander, | Mr. A. L. Green, | Mr. Pratt,  |
| Atwood,        | N. K. Green,     | Ramsdell,   |
| Baker,         | Hadley,          | Sessions,   |
| Beamer,        | Haire,           | Shanahan,   |
| Brownell,      | Henderson,       | Smith,      |
| Bunce,         | Hemingway,       | A. Stevens, |
| Chase,         | Hill,            | Stewart,    |
| Childs,        | Hodges,          | Steddard,   |
| Choate,        | Hood,            | Taylor,     |
| Chapoton,      | Howell,          | Tibbits,    |

Cook,  
Cooley,  
Cox,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallas,  
Follett,  
Fowle,  
Gilbert,  
Goodrich,

Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Peters,  
Peterson,  
Phelps,  
Piper,

Toll,  
Wallin,  
Warner,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodward,  
Wright,  
Speaker,

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## NAYS.

Mr. Adams,  
Crego,  
Foote,  
Gregory,

Mr. Hurd,  
Moore,  
Pringle,  
Rankin,

Mr. Strong,  
Wade,  
Woodman,

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Title agreed to.

On motion of Mr. Childs,

The House adjourned until to-morrow morning at 9 o'clock.

*Lansing, Thursday, February 28, 1861.*

House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Meyer.

Roll called : quorum present.

The Speaker announced Messrs. Howell, Lockwood, Sessions, Smith and Persons, as the special committee on House bill No. 78, entitled

A bill giving to lumbermen a lien on logs and lumber for their personal services.

## PETITIONS PRESENTED.

By Mr. Tibbitts: petition of L. W. Ferguson, Joseph Parks, J. W. Nelson and 31 others, citizens Wyandotte, in the county of Wayne, praying that the law granting a bounty on salt may be repealed;

Referred to the special committee on salt interest.

By Mr. Hurd: petition of N. J. Strong, J. Hamilton, and 21

others, citizens of Burlington and Tekonsha, Calhoun county, asking for the repeal of the law granting bounty on salt;

Referred to the special committee on salt interest.

By Mr. Fallass: petition of Simeon Hunt and 70 others, for an amendment of the charter of the village of Lowell;

Referred to the committee on banks and incorporations.

By Mr. Taylor: petition of Sidney McGitt, C. C. Eddy, and 39 others, asking an amendment to the constitution, relative to universal suffrage;

Also, petition of Lucian Rouse, and others, for the same purpose.

Laid on the table.

By Mr. Choate: remonstrance of H. Shaw Noble, E. G. Morton, John Paxton, and 160 others, citizens of Monroe county, against the passage of a law to prohibit fishing with pond nets in the waters of this State;

Referred to the committee on State affairs.

By Mr. Woodman: petition of S. H. Blackman and 18 others, for the repeal of an act to encourage the manufacture of salt;

Also, petition of T. E. Hendricks and 12 others, for the same purpose;

Also, petition of George Voke and 30 others, for the same purpose;

Referred to the special committee on salt interest.

By the Speaker: petition of J. B. Eldridge and 15 others, praying for the passage of an act for the organization and government of the University of Michigan, so as to define the powers and duties of the Regents, Professors and President of the University;

Laid on the table.

By Mr. Henderson: petition of John G. Griffith and 116 others, citizens of Battle Creek and vicinity, asking for an amendment to the 19th section of the prohibitory liquor law;

Also, petition of E. C. Manchester and 88 others, for the same purpose;

Also, petition of Lafayette Foster and 25 others, for the same purpose ;

Also, petition of E. L. Davies and 82 others, for the same purpose ;

Also, petition of Josiah Decker and 55 others, for the same purpose ;

Also, petition of D. G. Harrington and 81 others, for the same purpose ;

Also, petition of W. W. Tomlinson and 48 others, for the same purpose ;

Also, petition of B. F. Hinman and 103 others, for the same purpose.

On motion of Mr. Henderson,

The several petitions were laid on the table, and one of them ordered printed in the journal.

The following is the petition :

*To the Hon. Senate and House of Representatives of the State of Michigan :*

Your memorialists respectfully pray your Honorable Bodies to amend the prohibitory liquor law of this State, as requested by the Temperance Alliance of the State of Michigan, in the resolutions adopted by said Alliance, on the 18th inst., at Battle Creek, viz. :

*First.* By amending the nineteenth section of the prohibitory liquor law of this State, so as to include beer, and malt liquors, ale, and porter, &c., and in the same category with domestic wines, and cider, and prohibit its sale in quantities less than five gallons.

*Second.* By providing that when intoxication results from the drinking of beer, ale, or porter, &c., the seller and drinker shall be amenable to all the penalties of the law against intoxication produced by the use of ardent spirits.

Battle Creek, Michigan, Feb. 19, 1861.

By Mr. W. N. Stevens: remonstrance of the graduating class of the Michigan University against the establishment of a chair of homeopathy in said institution ;

On motion of Mr. W. N. Stevens,

The remonstrance was laid on the table, and ordered printed in the journal.

The following is the remonstrance:

*To the Honorable the Legislature of the State of Michigan:*

The members of the graduating class in the medical department of the University of Michigan, beg leave to lay before your honorable body, the following resolution unanimously adopted on Tuesday, February 26, 1861:

*Whereas*, We have heard, with regret, that an effort is now being made in the Legislature to establish a chair of homeopathy, in this department of the University; therefore

*Resolved*, That in the event of such a chair being established we would consider it a fatal blow to the prosperity of the college, and that it is so decidedly opposed to our views of rational medicine, that were such an appointment to be made now, we should feel compelled at once to withdraw from the University, as a diploma from an institution so constituted, would confer neither benefit nor honor.

E. S. Crosier,  
W. H. Emerson,  
Milton Chase,  
Samuel Whittimore,  
Sam. Crawford,  
E. Cary Stangland,  
Henry C. Cleland,  
W. L. Hutchinson,  
Wm. F. Fisher,  
J. E. Barrett,  
R. P. Muenscher,  
Jos. M. Towerdale,  
Austin LaMonte,  
Anson T. Clark,  
P. McNab,  
Robert LeBaron,

A. L. Allen,  
A. M. Allen,  
E. R. Travers,  
Edwin Phillips,  
George Barnes,  
William N. Bailey,  
Andrew B. Chapin,  
J. H. Hutchinson,  
Willard B. Smith,  
Frederick H. Young,  
S. C. Lacey,  
John Kennedy,  
Wm. A. Burton,  
C. R. Burton,  
James T. Jones,  
S. J. Keon,

Warren B. Curtis,  
Joseph Morris,  
Wm. Herod Beck,  
Dennis Kimberly,

E. L. Bissell,  
J. G. Thompson,  
E. F. Severance,  
W. E. Fraser.

## REPORTS OF STANDING COMMITTEES.

By the committee on the reform school :

Your committee, to whom was referred so much of the retiring and the present Governors' messages as related to the reform school, have had the same under consideration, and would beg leave to report :

That in accordance with a resolution of this House, they have visited the institution, and through the kindness and attention of the superintendent, and the officers connected with the school, were permitted to witness and examine into the practical working of the same, so far as could be done in the short time allowed them. The legislature of 1859, by act approved in February, of the same year, made provision for the erection of, and putting in operation, this institution, under the name of the "House of Correction for Juvenile Offenders ;" and the board of control have, as shown to you by their annual report, completed, and have now in use, the entire building, according to the original design, at an expense, in the aggregate, for construction, of the sum of \$53,474 28.

Your committee are gratified in being able to say, that no further appropriation is asked for, for building purposes, at this time, excepting the sum of \$1,474 28, which was expended in rebuilding the work-shop, which was destroyed by fire in October last, for the payment of which an appropriation bill has already been introduced, and passed this House. The whole amount expended in constructing the buildings and maintaining the institution, up to the first of December, 1860, amounts to \$102,745 86.

With the addition of the new wing, which was completed in July last, we have now one hundred and fifty-two dormitoria, making the utmost capacity of the institution, under the regime as it was at first contemplated, one hundred and fifty two, but

under the present mode of government nearly double that number of boys can be accommodated.

From the report of the "Board of Control," we learn that on the 16th day of November, 1860, there was 137 inmates in the institution, being a gain of 41 over the report of the previous year, and an average of 117 for the year. The amount paid for contingent expenses for the school, for the past year, amounts to \$16,000. The amount received for the services of the boys in the work-shops, was \$2,161 82; which deducted from the expenses, leaves a balance of \$13,838 18 as the actual expense of maintaining the institution for the past year. Calling the average number in the school for the year 117, we then have an average expense of \$118 27 *per capita*. This average expense is considerable greater than the average expense of maintaining similar institutions throughout the United States.

From a report made in May, 1859, by some 24 of these institutions, we find the highest cost *per capita*, was in the St. Louis House of Refuge, which was \$117 61; while at the same time the average expenses of all the schools reporting upon this subject, to have been a trifle under \$90. The cost of supporting the older institutions in the Eastern States, presents a remarkable degree of uniformity, varying but little from \$85 each, *per capita*. Your committee have called your attention to these facts, not invidiously, nor because they believe they indicate carelessness or prodigality in the management of our institution, but rather for the purpose of furnishing a data upon which we may safely estimate the expenses of maintaining it when it becomes established and put in complete and successful operation. From the reports of 14 of these Reform Schools, an average of 85 per cent. of all that had been received were reported as reformed, and that the average period of detention had been only about 19 months. Under the present mode of government, your committee are of the opinion the expenses will be materially diminished.

The attention of your committee has been called to the change

which has been introduced in regard to the management of this institution, which commends itself to their warmest approbation. The Legislature of 1857 very wisely changed the name of the institution from that of "House of Correction" to that of "Reform School," and also made it the duty of the "Superintendent of Public Instruction to make an annual or more frequent visit to the institution, and make such reference to it in his annual report as the condition and the usefulness of the school in his judgment might seem to require," for the purpose of disseminating more extensively throughout the State a correct knowledge of the nature and objects of the institution, and for the purpose of disabusing the public mind, and of calling the attention of those engaged in reform and reformatory measures to the true objects and practical utility of this humanitarian institution, and thus in a formal manner recognize the reform school as a part of the common school system of the State. The public mind has been prone to look upon this institution as a sort of an auxiliary to the State Prison—as a place of confinement and punishment for juvenile offenders rather than a reformatory and educational school for those parentless, unfortunate and neglected children in our midst.

Originally it was designed for the accommodation of persons of both sexes, but the course of discipline and the construction of the building is such, that renders it impracticable to keep the sexes separate, and to keep them together would tend in a great measure to entirely defeat the object for which it was designed. There can be no proper accommodation for girls without additional buildings, and then by having them near together it would be detrimental to the interest of all concerned. And your committee are of the opinion that it would be decidedly for the interest of the State, in a pecuniary point of view, to provide a separate building, either adjacent to and under the supervision of the same superintendent, or more remote from the same, as the Legislature in their wisdom might direct, but under no consideration would they recommend that they occupy the same building with the boys.



For the further elucidation of this subject, we would refer you to the able report of the committee on education, and commend the recommendations and suggestions therein contained, to your favorable consideration.

Early in the session, a bill was introduced, which was referred to your committee, which met their unanimous approval, amending the organic law of 1855, relative to the organization of the institution, so that, hereafter, boys only can be sent to the reform school. The bill also provides for the commitment of boys for vagrancy. Some object to this feature of the bill, claiming that vagrancy is not a crime. Your committee, however, are of the opinion that it is certainly the great highway that leads to crime; and the sooner they are taken from this highway of crime, the sooner they are removed from vicious influences. They are generally of that class of youth who have turned their backs upon parental restraint, or who have never enjoyed any wholesome instruction, and have followed their own inclination, disregarding all restraining influence; accustomed to roving through the streets in idleness, without care for themselves, or any one to care for them; without any education, except in vice; forming such habits, and such a character and associations, as will inevitably lead them into crime. It is this class that we propose to send to the reform school—not to punish them for crimes they are not accountable for—but to prevent them from committing those crimes which their associations and habits of life would ultimately lead them into—not to punish them, but to elevate them from vice and degradation—remove them from that moral miasma with which they are surrounded, and in which they have been educated, and throw around them those moral restraints they so much need—to give them a wholesome education—to teach them the duties they owe to themselves, their country, and their Maker—elevate them in the scale of being, and prepare them to go out into the world and resume the responsible duties of life—in a word, not to punish, but to reform and educate.

It is but a little over 30 years since this reformatory system of education was commenced in America. In the year 1823, the first reformatory school was opened in the old "United States armory, in the city of New York, with only seven boys." Like all other reformatory measures, it met with decided and stern opposition. By some, the whole scheme was looked upon as the wild chimera of fanatical enthusiasts; by others of cooler judgment, with distrust and apprehension, and "regarded as a public charity of extremely doubtful utility."

But how great a change has one-third of a century produced. From the very small beginning of seven boys in the old armory, similar institutions have sprung into existence in almost every State in the Union, numbering more than four times the number of boys in the first school, furnishing homes, and educating and training for the responsible duties of life, annually, nearly 6,000 of the unfortunate youth of our country. Some 50,000 have already gone out from these institutions, a majority of whom have become intelligent, upright and honest citizens, an honor to themselves and a blessing to their friends.

Your committee were well pleased with the mode of government and discipline adopted in the school. By adopting the family system of government, you throw around these boys a moral and restraining influence which many of them have never known or felt before, and by establishing different grades of honor and responsibility, and placing them within the reach of all, you offer a greater incentive to virtuous conduct—you accomplish a better and more desirable reformation than bolts and bars or the dungeon can produce. By inculcating the principles of love and forbearance, and by offering rewards or promotion for meritorious conduct, you acquire a much greater influence and power, a better reformation, than you can ever expect to acquire through the fear of the infliction of corporal punishment.

The improvements which have been made in the front yard—the drives and foot paths which have been constructed—the mounds and lawns that have been laid out—the forest trees

which have been set out, many of them obtained from a distance of 25 miles, by the boys, together with other improvements which they have made, show conclusively that "they had a zeal and interest in their work."

The general good order and neatness which prevailed in all of the various departments, the cheerfulness and the apparent willingness of the boys in performing every duty, their activity and industry as we witnessed them engaged at their various avocations and employments, bespeak for the good management of the school.

In conclusion, your committee feel that they would be doing great injustice to themselves, and withholding merited praise, should they fail to express their thanks to the Rev. Mr. Nichols, the worthy superintendent, and the officers connected with the several departments, for their kindness and courtesy, and for the facilities afforded them for a thorough examination of the institution.

All of which is respectfully submitted.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The report was ordered printed.

By the judiciary committee :

The committee on the judiciary, to whom was referred House Bill, entitled

A bill changing the name of the township of Newark, in Allegan county, to that of Saugatuck,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was laid on the table.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend section 2, chapter 119, of the revised statutes of 1846, being section 3967 of the compiled laws,

Respectfully report that they have had the said bill under consideration, return the same to the House without recommendation, except that it be printed, and ask to be discharged.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was referred to the committee of the whole, and placed on the general order.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to prevent officers and clerks employed in the State Land office, and in the Auditor General's office, from purchasing lands at such offices,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted, and committee discharged.

On motion of Mr. N. K. Green,

The bill was referred to the committee of the whole, and placed on the general order.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to divide and reorganize the ninth judicial circuit, and to form an additional circuit,

Respectfully report that they have had the said bill under consideration, return the same to the House without recommendation, except that it be printed, and ask to be discharged.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the judiciary committee :

The committee on the judiciary, to whom was referred what purports to be House bill, entitled

A bill to amend chapter 117 of the compiled laws, in relation to certioraris,

Respectfully report that the same is not a bill, and ask to be discharged from the consideration thereof.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. A. L. Green,

The bill was laid on the table.

By the committee on the judiciary :

The committee on the judiciary, to whom was recommitted House bill, entitled

A bill in relation to the collection of recognizances in criminal cases,

Respectfully report that they have had the said bill under consideration, and return the same to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Fallas,

The House concurred in the amendments made by the committee.

On motion of Mr. C. Davis,

The bill was ordered engrossed for a third reading.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill, entitled

A bill prohibiting the county auditors of Wayne county from

allowing any extra compensation for any services rendered to the county beyond what the law provides,

Respectfully report that they have had the said bill under consideration, and return the same to the House with the accompanying amendments, recommend that the amendments be concurred in, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted, and committee discharged.

On motion of Mr. Pringle,

The House concurred in the amendments made by the committee.

The bill was referred to the committee of the whole and placed on the general order.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend certain provisions of the prohibitory liquor law, and reduce the penalty for violation to practicable dimensions.

Respectfully report that they have considered the same and report the same back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

Mr. Cutcheon moved to lay the bill on the table;

Which motion did not prevail.

On motion of Mr. Howell,

The bill was referred to the committee of the whole, and placed on the general order.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend section 15, of chapter 175, of the compiled laws, relative to fees of justices of the peace in civil cases.

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. A. L. Green,

The bill was laid on the table.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend section 9 of an act to define the powers and duties of the boards of supervisors of the several counties, and to confer on them certain local, administrative and legislative powers, approved April 8, 1851, the same being section 343 of the compiled laws,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bill was laid on the table.

By the majority of the committee on judiciary :

The majority of the committee on the judiciary, to whom was referred House bill, entitled

A bill to repeal act No. 177, of the session laws of 1859, being an act further to preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors, approved February 14, 1859,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend section 2, chapter 119, of the revised statutes of 1846, being section 3967 of the compiled laws,

Respectfully report that they have had the said bill under consideration, return the same to the House without recommendation, except that it be printed, and ask to be discharged.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was referred to the committee of the whole, and placed on the general order.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to prevent officers and clerks employed in the State Land office, and in the Auditor General's office, from purchasing lands at such offices,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted, and committee discharged.

On motion of Mr. N. K. Green,

The bill was referred to the committee of the whole, and placed on the general order.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to divide and reorganize the ninth judicial circuit, and to form an additional circuit,

Respectfully report that they have had the said bill under consideration, return the same to the House without recommendation, except that it be printed, and ask to be discharged.

THOS. W. LOCKWOOD, *Chairman.*



Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the judiciary committee :

The committee on the judiciary, to whom was referred what purports to be House bill, entitled

A bill to amend chapter 117 of the compiled laws, in relation to certioraris,

Respectfully report that the same is not a bill, and ask to be discharged from the consideration thereof.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. A. L. Green,

The bill was laid on the table.

By the committee on the judiciary :

The committee on the judiciary, to whom was recommitted House bill, entitled

A bill in relation to the collection of recognizances in criminal cases,

Respectfully report that they have had the said bill under consideration, and return the same to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Fallas,

The House concurred in the amendments made by the committee.

On motion of Mr. C. Davis,

The bill was ordered engrossed for a third reading.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill prohibiting the county auditors of Wayne county from

allowing any extra compensation for any services rendered to the county beyond what the law provides,

Respectfully report that they have had the said bill under consideration, and return the same to the House with the accompanying amendments, recommend that the amendments be concurred in, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted, and committee discharged.

On motion of Mr. Pringle,

The House concurred in the amendments made by the committee.

The bill was referred to the committee of the whole and placed on the general order.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend certain provisions of the prohibitory liquor law, and reduce the penalty for violation to practicable dimensions.

Respectfully report that they have considered the same and report the same back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

Mr. Cutcheon moved to lay the bill on the table;

Which motion did not prevail.

On motion of Mr. Howell,

The bill was referred to the committee of the whole, and placed on the general order.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend section 15, of chapter 175, of the compiled laws, relative to fees of justices of the peace in civil cases.

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. A. L. Green,

The bill was laid on the table.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend section 9 of an act to define the powers and duties of the boards of supervisors of the several counties, and to confer on them certain local, administrative and legislative powers, approved April 8, 1851, the same being section 343 of the compiled laws,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bill was laid on the table.

By the majority of the committee on judiciary :

The majority of the committee on the judiciary, to whom was referred House bill, entitled

A bill to repeal act No. 177, of the session laws of 1859, being an act further to preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors, approved February 14, 1859,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

The bill was laid on the table.

By the judiciary committee :

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend act No. 201 of the session laws of 1859, relative to the adulteration of alcoholic liquors,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Outcheon,

The bill was laid on the table.

By the judiciary committee:

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to vacate a part of the village plat of Constantine, in the county of St. Joseph,

Respectfully report that they have had the same under consideration, and return the same to the House with a recommendation that it do not pass, and ask to be discharged from the further consideration thereof.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. A. L. Green,

The bill was laid on the table.

By the judiciary committee :

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill vacate a part of the village plat of South Haven, in Van Buren county,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Chapoton,

The bill was laid on the table.

By the judiciary committee:

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend section 14, of chapter 134, of the compiled laws, entitled of the action of ejectment,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. N. K. Green,

The bill was laid on the table.

By the judiciary committee :

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend section 3, of an act entitled an act to define the limits, jurisdiction and powers of circuit courts, approved April 8, 1851, being section 3413 of compiled laws,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bill was laid on the table.

By the majority of the judiciary committee :

The majority of the committee on the judiciary, to whom was referred Senate bill No. 63, entitled

A bill relative to the arrest and surrender of fugitives from justice,

Respectfully report that they have had the same under con-

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Alexander moved that the House concur in the adoption of the resolution ;

Mr. Morrison moved to lay the resolution on the table ;

Mr. Adams demanded the yeas and nays ;

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

#### YEAS.

|             |             |               |
|-------------|-------------|---------------|
| Mr. Atwood, | Mr. Hadley, | Mr. Sessions, |
| Brownell,   | Hill,       | Stewart,      |
| Bunce,      | Howell,     | Stoddard,     |
| Chapoton,   | Jones,      | Taylor,       |
| Cooley,     | Morrison,   | Toll,         |
| Crego,      | Persons,    | Waterbury,    |
| Gilbert,    | Peters,     | Wheeler,      |
|             |             | 21            |

#### NAYS.

|              |                  |                |
|--------------|------------------|----------------|
| Mr. Adams,   | Mr. A. L. Green, | Mr. Rankin,    |
| Alexander,   | N. K. Green,     | Shank,         |
| Baker,       | Haire,           | Shanahan,      |
| Beamer,      | Henderson,       | Smith,         |
| Blakeslee,   | Hemingway,       | W. N. Stevens, |
| Chase,       | Hodges,          | A. Stevens,    |
| Childs,      | Hurd,            | Strong,        |
| Choate,      | Joy,             | Tibbits,       |
| Cook,        | Kanouse,         | Wade,          |
| Cox,         | Kelsey,          | Wetherby,      |
| Cutcheon,    | Lockwood,        | T. M. Wilson,  |
| A. W. Davis, | Miller,          | J. B. Wilson,  |
| Ira Davis,   | Moore,           | Winans,        |
| Fallass,     | Peterson,        | Woodman,       |
| Foote,       | Phelps,          | Woodward,      |
| Fowle,       | Piper,           | Wright,        |
| Goodrich,    | Pringle,         | Speaker,       |
| Gregory,     | Ramsdell,        |                |
|              |                  | 53             |

The question being upon concurring in the adoption of the resolution,

Mr. Alexander demanded the previous question.

The demand was seconded, and the main question ordered.

The House concurred in the adoption of the resolution, by yeas and nays, as follows :

## YEAS.

|              |               |                |
|--------------|---------------|----------------|
| Mr. Adams,   | Mr. Goodrich, | Mr. Peterson,  |
| Alexander,   | Gregory,      | Piper,         |
| Atwood,      | A. L. Green,  | Rankin,        |
| Baker,       | N. K. Green,  | Read,          |
| Beamer,      | Hadley,       | Shanahan,      |
| Blakeslee,   | Haire,        | Smith,         |
| Brownell     | Henderson,    | W. N. Stevens, |
| Bunce,       | Hedges,       | Stoddard,      |
| Chase,       | Hurd,         | Strong,        |
| Childs,      | Jones,        | Tibbits,       |
| Cook,        | Kanouse,      | Toll,          |
| Outcheon,    | Kelsey,       | Wade,          |
| A. W. Davis, | Leetch,       | Wetherby,      |
| Ira Davis,   | Miller,       | J. B. Wilson,  |
| Fallase,     | Morrison,     | Woodman,       |
| Footo,       | Moore,        | Speaker,       |
| Fowle,       |               |                |

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## NAYS.

|             |             |               |
|-------------|-------------|---------------|
| Mr. Choate, | Mr. Howell, | Mr. Shank,    |
| Chapoton,   | Joy,        | A. Stevens,   |
| Cooley,     | Lockwood,   | Stewart,      |
| Cox,        | Persons,    | Taylor,       |
| Crego,      | Peters,     | Warner,       |
| C. Davis,   | Phelps,     | Waterbury,    |
| Douglas,    | Pratt,      | Wheeler,      |
| Gilbert,    | Pringle,    | T. M. Wilson, |
| Hemingway,  | Ramsdell,   | Woodard,      |
| Hill,       | Sessions,   | Wright,       |

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Mr. Adams moved to reconsider the vote by which the House concurred in the adoption of the resolution;

Mr. Alexander moved to lay the motion to reconsider on the table;

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

## YEAS.

|                |                |                |
|----------------|----------------|----------------|
| Mr. Alexander, | Mr. Henderson, | Mr. Shanahan,  |
| Atwood,        | Hodges,        | W. N. Stevens, |

Childs,  
Cooley,  
A. W. Davis,  
Foote,  
Gregory,  
N. K. Green,

Kelsey,  
Leetch,  
Morrison,  
Moore,  
Peterson,  
Piper,

Strong,  
Tibbits,  
Toll,  
J. B. Wilson,  
Woodman,  
Speaker, . 24

# NAYS.

Mr. Adams,  
Baker,  
Beamer,  
Blakealee,  
Brownell,  
Bunce,  
Chase,  
Choate,  
Chapoton,  
Cook,  
Cox,  
Crego,  
Cutcheon  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Fowle,  
Gilbert,

Mr. Goodrich,  
A. L. Green,  
Hadley,  
Haire,  
Hemingway,  
Hill,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Lockwood,  
Miller,  
Persons,  
Peters,  
Phelps,  
Pratt,  
Pringle,  
Ramsdell,  
Rankin,

Mr. Read,  
Sessions,  
Shank,  
Smith,  
A. Stevens.  
Stewart,  
Stoddard,  
Taylor,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
Winans,  
Woodward,  
Wright,

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The question being upon the motion to reconsider the vote whereby the House concurred in the adoption of the resolution,

Mr. Cutcheon moved to postpone the further consideration of the subject until the 7th of March;

Which was withdrawn.

The question recurring upon the motion to reconsider,

The motion did not prevail.

Also the following :

SENATE CHAMBER,  
Lansing, February 27, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bills:

1. A bill to incorporate the village of Constantine;
2. A bill to provide for selecting and locating the unsettled deficiency existing in the quantity of lands due to the State of



Michigan under the act of Congress, approved May 20, 1826, and for any other land grant made by act of Congress to this State;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and referred to the committee on public lands.

Also the following :

SENATE CHAMBER, }  
Lansing, February 27, 1861. }

*To the Speaker of the House of Representatives:*

SIR :—I am instructed to return to the House the following entitled bills:

1. A bill to provide for holding inquests on the view of dead bodies within incorporated cities in this State by coroners of the county in which they are situate;

2. A bill to authorize the conveyance of certain portions of section 16, in township 1 south, of range 11 west, in the county of Kalamazoo ;

3. A bill to change the name of the township of Little Sauble, in the county of Mason;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first named bill was referred to the committee on engrossment and enrollment, for enrollment.

On motion of Mr. Adams,

By a vote of two-thirds of all the members elect, the second named bill was ordered to take immediate effect.

The third named bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
*Lansing, February 27, 1861.* }

*To the Speaker of the House of Representatives:*

SIR :—I am instructed by the Senate to transmit the following:

1. A bill to amend sections 11 and 127, of the compiled laws, relative to security of costs in justices' courts ;

2. A bill to amend section 18, of chapter 175, of the compiled laws, in relation to fees of jurors ;

Also,

3. Joint resolution appointing Francis A. Artault, emigrant agent, in Paris, France ;

Which have passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first and second named bills were read a first and second time by their title, and referred to the committee on judiciary.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

Also the following :

SENATE CHAMBER,  
*Lansing, February 27, 1861.* }

*To the Speaker of the House of Representatives:*

SIR :—I am instructed to return to the House the following entitled bills:

1. A bill to amend an act entitled an act to organize the township of Garden Island, and to change the name of said township;

2. A bill to attach certain unorganized territory to the county of Iosco;

3. A bill to provide for the preservation of bridges in certain cases;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, February 27, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to transmit the following entitled bill :

A bill to provide for the equal valuation and assessment of property in the village of Hudson ;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Also the following :

SENATE CHAMBER,  
Lansing, February 27, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to transmit the following :

1. A bill to reorganize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture;

2. Joint resolution authorizing the Commissioner of the State Land Office to issue certain certificates of land ;.

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked..

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on agriculture and manufactures.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Rankin moved that the committee of the whole be discharged from the further consideration of House bill No. 160, entitled

A bill to provide for improving a certain State road, from the village of Gaines to the village of Flushing, in the county of Genesee.

Which motion prevailed.

On motion of Mr. Rankin,

The bill was placed on the order of third reading.

Mr. Hurd moved that the committee of the whole be discharged from the further consideration of Senate bill No 52, being

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, and the acts amendatory thereto, approved February 12, 1855, and February 4, 1858 ;

Which motion prevailed.

On motion of Mr. Hurd,

The bill was placed on the order of third reading.

Mr. Hill moved that the committee of the whole be discharged from the further consideration of House bill No. 132, being

A bill to amend chapter 75 of the compiled laws, by adding five new sections, to be numbered sections 25, 26, 27, 28 and 29, to provide for the homœopathic department in the University of Michigan;

Which motion prevailed.

Mr. Pringle moved that the bill be made the special order for Monday evening next, at 7½ o'clock;

Which motion did not prevail.

Mr. Childs moved that the bill be made the special order for Tuesday evening next, at 7½ o'clock.

Mr. Pratt moved to strike out "Tuesday" and insert "tomorrow."

Mr. Cutcheon called for a division of the question.

The question being upon striking out "Tuesday,"

The motion did not prevail.

The motion to make the bill the special order for Tuesday evening next prevailed.

Mr. Childs moved that four more members be added to the committee on agriculture and manufactures, for the consideration of Senate bill, entitled

A bill to reorganize the Agricultural College of the State of Michigan, and to establish a State board of agriculture;

Which motion prevailed.

The Speaker announced as the additional members of such committee, Messrs. Sessions, Kelsey, Wheeler, and J. B. Wilson.

Mr. Joy moved that the committee of the whole be discharged from the further consideration of Senate joint resolution, entitled

Joint resolution authorizing the State Treasurer to charge certain items to account suspense;

Which motion prevailed.

On motion of Mr. Howell,

The joint resolution was placed on the order of third reading.

Mr. Joy moved that the committee of the whole be discharged from the further consideration of Senate bill, entitled

A bill relating to deposit accounts, and to interest, exchange and commissions received or paid by the State Treasurer ;

Which motion prevailed.

On motion of Mr. Howell,

The bill was placed on the order of third reading.

Mr. Douglas moved that the committee of the whole be discharged from the further consideration of House bill No. 30, entitled

A bill to establish and organize the county of Keweenaw.

Which motion prevailed.

On motion of Mr. Warner,

The bill was placed on the order of third reading.

Mr. Douglas moved that the committee of the whole be discharged from the further consideration of House bill No. 111, entitled

A bill to change the boundaries of the county of Houghton, and establish the county seat thereof.

Which motion prevailed.

On motion of Mr. Warner,

The bill was placed on the order of third reading.

Mr. Baker moved to take from the table House bill, entitled

A bill to extend the time for the collection of taxes in the city of East Saginaw, and to legalize the tax roll of said city,

Which motion prevailed.

On motion of Mr. Baker,

The bill was referred to a select committee of three.

The Speaker appointed Messrs. Baker, Hill and Pratt as such committee.

Mr. Hurd moved that the committee of the whole be discharged from the further consideration of Senate Bill No. 18, entitled

A bill to amend section 364, of chapter 19, of the compiled laws,

Which motion prevailed.

On motion of Mr. Hurd,

The bill was placed on the order of third reading.

Mr. Hemingway moved that the committee of the whole be discharged from the further consideration of Senate joint resolution No. 7, entitled

Joint resolution appropriating the tolls of the St. Mary's canal to the payment of the amount due counties for taxes assessed on canal lands;

Which motion prevailed.

On motion of Mr. Cutcheon,

The joint resolution was recommitted to the committee of the whole, and placed on the general order.

### THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 30, entitled

A bill to establish and organize the county of Keweenaw,  
Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|                |                  |                |
|----------------|------------------|----------------|
| Mr. Alexander, | Mr. A. L. Green, | Mr. Shanahan,  |
| Atwood,        | Hadley,          | Smith,         |
| Beamer,        | Haire,           | W. N. Stevens, |
| Blakeslee,     | Henderson,       | Stewart,       |
| Brownell,      | Hemingway,       | Stoddard,      |
| Bunce,         | Hurd,            | Strong,        |
| Chase,         | Joy,             | Tibbits,       |
| Childs,        | Kanouse,         | Toll,          |
| Choate,        | Kelsey,          | Wade,          |
| Cooley,        | Leetch,          | Wallin,        |
| Crego,         | Lockwood,        | Warner,        |
| Cutcheon,      | Persons,         | Waterbury,     |
| A. W. Davis,   | Peters,          | Wetherby,      |
| G. Davis,      | Peterson,        | Wheeler,       |
| Ira Davis,     | Pratt,           | Winans,        |
| Douglas,       | Pringle,         | Woodman,       |
| Fallase,       | Ramsdell,        | Woodward,      |
| Fowle,         | Rankin,          | Wright,        |
| Gilbert,       | Read,            | Speaker,       |
| Gregory,       | Sessions,        |                |

#### NAYS.

Mr. Howell,

Title agreed to.

On motion of Mr. Douglas,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Lockwood moved a call of the House;

Which motion prevailed.

Upon the call of the roll by the Clerk, Messrs. Adams, Baker, Chapoton, Cox, N. K. Green, Hodges, Hood, Hurd, Jones, Phelps, Piper and Taylor were reported absent without leave.

On motion of Mr. Childs,

The Sergeant-at-Arms was despatched after the absentees.

After a short absence the Sergeant-at-Arms announced Mr. Phelps at the bar of the House.

Mr. Phelps was admitted within the bar, rendered his excuse, and was admitted to his seat.

The Sergeant-at-Arms announced Mr. Cox at the bar of the House.

Mr. Cox was admitted within the bar, and stated that having a bad cough he had, by order of Dr. Adams, absented himself that he might procure six sticks of horehound candy.

On motion of Mr. Cutcheon,

Mr. Cox was excused, on condition that he would divide the candy.

Mr. Ramsdell moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

The Sergeant-at-Arms announced Messrs. Taylor and N. K. Green at the bar of the House.

Messrs. Taylor and N. K. Green were admitted within the bar, rendered their excuses and were admitted to their seats.

Mr. Hemingway moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

The Sergeant-at-Arms announced Messrs. Hurd, Hodges and Piper at the bar of the House.

The several gentlemen having given an excuse that was accepted by the House, were admitted to their seats.

On motion of Mr. Childs,



All further proceedings under the call were dispensed with.

House bill, entitled

A bill to amend an act entitled an act to revise the charter of the city of Port Huron, approved February 15, 1859,

Being under consideration,

On motion of Mr. Alexander,

The reading of the bill *in extenso* was dispensed with.

The bill was read a third time, by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|                |                  |               |
|----------------|------------------|---------------|
| Mr. Alexander, | Mr. N. K. Green, | Mr. Shanahan, |
| Atwood,        | Hadley,          | Smith,        |
| Beamer,        | Haire,           | A. Stevens,   |
| Blakeslee,     | Henderson,       | Stewart,      |
| Brownell,      | Hemingway,       | Stoddard,     |
| Bunce,         | Hill,            | Strong,       |
| Chase,         | Hurd,            | Taylor,       |
| Childs,        | Joy,             | Toll,         |
| Choate,        | Kanouse,         | Wade,         |
| Cook,          | Kelsey,          | Wallin,       |
| Cooley,        | Lockwood,        | Warner,       |
| Cox,           | Morrison,        | Waterbury,    |
| Crego,         | Moore,           | Wetherby,     |
| C. Davis,      | Peterson,        | Wheeler,      |
| Ira Davis,     | Phelps,          | T. M. Wilson, |
| Fallasey,      | Piper,           | J. B. Wilson, |
| Foote,         | Pringle,         | Winans,       |
| Fowle,         | Ramsdell,        | Woodman,      |
| Gilbert,       | Rankin,          | Woodward,     |
| Goodrich,      | Read,            | Wright,       |
| Gregory,       | Sessions,        | Speaker,      |
| A. L. Green,   |                  |               |

#### NAYS.

|             |              |              |
|-------------|--------------|--------------|
| Mr. Hodges, | Mr. Persons, | Mr. Tibbits, |
| Howell,     | Peters,      |              |

Title agreed to.

On motion of Mr. Pringle,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Howell moved that the House adjourn;

Which motion did not prevail.

Senate bill No. 52, entitled

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, and the acts amendatory thereto, approved February 12, 1855, and February 4, 1858;

Being under consideration,

Mr. Gilbert moved that the bill be recommitted to the committee of the whole;

Which motion did not prevail.

On motion of Mr. Lockwood,

The bill was committed to the committee on ways and means.

On motion of Mr. Howell,

The House adjourned until this afternoon at 2 o'clock.

---

AFTERNOON SESSION.

2 o'clock P. M.

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Baker asked and obtained the unanimous consent of the House to make the following report as chairman of a special committee:

The special committee, to whom was referred

A bill to extend the time for collecting taxes in the city of East Saginaw, in Saginaw county, and to legalize the correction of errors in the assessment roll thereof for the year 1860,

Respectfully report that they have had the same under consideration, and return the same with the accompanying substitute, with the recommendation that the said substitute do pass, and ask to be discharged from the further consideration thereof.

M. S. BAKER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Sessions,

The substitute offered by the committee was adopted.

On motion of Mr. Howell,

The bill was placed on the order of third reading.

## SPECIAL ORDER OF THE DAY.

Being the consideration of House bill No. 140, entitled

A bill to provide means for the redemption of the bonds of the State maturing January 1, 1863,

Which had been adopted by the House as a substitute for Senate bill No. 40.

By unanimous consent the House considered the same section by section, and sundry amendments were made thereto.

The bill having been gone through with, by sections,

Mr. T. M. Wilson moved to strike out section 4 of the bill;

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows :

## YEAS.

## NAYS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cook,  
Cooley,  
Cox,  
Orego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Foot,e  
Fowle,  
Gilbert,  
Gregory,  
A. L. Green,

Mr. N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,  
Rankin,

Mr. Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

Senate bill No. 52, entitled

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, and the acts amendatory thereto, approved February 12, 1855, and February 4, 1858;

Being under consideration,

Mr. Gilbert moved that the bill be recommitted to the committee of the whole;

Which motion did not prevail.

On motion of Mr. Lockwood,

The bill was committed to the committee on ways and means.

On motion of Mr. Howell,

The House adjourned until this afternoon at 2 o'clock.

---

AFTERNOON SESSION.

2 o'clock P. M.

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Baker asked and obtained the unanimous consent of the House to make the following report as chairman of a special committee:

The special committee, to whom was referred

A bill to extend the time for collecting taxes in the city of East Saginaw, in Saginaw county, and to legalize the correction of errors in the assessment roll thereof for the year 1860,

Respectfully report that they have had the same under consideration, and return the same with the accompanying substitute, with the recommendation that the said substitute do pass, and ask to be discharged from the further consideration thereof.

M. S. BAKER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Sessions,

The substitute offered by the committee was adopted.

On motion of Mr. Howell,

The bill was placed on the order of third reading.

## SPECIAL ORDER OF THE DAY.

Being the consideration of House bill No. 140, entitled  
A bill to provide means for the redemption of the bonds of  
the State maturing January 1, 1863.

Which had been adopted by the House as a substitute for  
Senate bill No. 40.

By unanimous consent the House considered the same section by section, and sundry amendments were made thereto.

The bill having been gone through with, by sections,

Mr. T. M. Wilson moved to strike out section 4 of the bill;

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion did not prevail,  
by yeas and nays, as follows :

## YEAS.

## NAYS.

|              |                  |                |
|--------------|------------------|----------------|
| Mr. Adams,   | Mr. N. K. Green, | Mr. Read,      |
| Alexander,   | Hadley,          | Sessions,      |
| Baker,       | Haire,           | Shank,         |
| Beamer,      | Henderson,       | Shanahan,      |
| Blakeslee,   | Hemingway,       | Smith,         |
| Brownell,    | Hill,            | W. N. Stevens, |
| Bunce,       | Hodges,          | A. Stevens,    |
| Chase,       | Howell,          | Stewart,       |
| Childs,      | Hurd,            | Stoddard,      |
| Choate,      | Joy,             | Strong,        |
| Chapoton,    | Kanouse,         | Taylor,        |
| Cook,        | Kelsey,          | Tibbits,       |
| Cooley,      | Leetch,          | Toll,          |
| Cox,         | Lockwood,        | Wade,          |
| Orego,       | Miller,          | Wallin,        |
| Cutcheon,    | Morrison,        | Warner,        |
| A. W. Davis, | Moore,           | Waterbury,     |
| C. Davis,    | Persons,         | Wetherby,      |
| Ira Davis,   | Peters,          | Wheeler,       |
| Douglas,     | Peterson,        | T. M. Wilson,  |
| Fallass,     | Phelps,          | J. B. Wilson,  |
| Foot,e       | Piper,           | Winans,        |
| Fowle,       | Pratt,           | Woodman,       |
| Gilbert,     | Pringle,         | Woodward,      |
| Gregory,     | Ramsdell,        | Wright,        |
| A. L. Green, | Rankin,          | Speaker,       |

On motion of Mr. Sessions,

The bill was ordered engrossed for a third reading.

The special order having been gone through with, the House resumed business under the order of

### THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 111, entitled

A bill to change the boundaries of the county of Houghton, and establish the county seat thereof,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|              |                  |                |
|--------------|------------------|----------------|
| Mr. Adams,   | Mr. N. K. Green, | Mr. Rankin,    |
| Alexander,   | Hadley,          | Sessions,      |
| Blakeslee,   | Haire,           | Shanahan,      |
| Beamer,      | Henderson,       | Smith,         |
| Blakeslee,   | Hemingway,       | W. N. Stevens, |
| Brownell,    | Hill,            | A. Stevens,    |
| Bunce,       | Hodges,          | Stewart,       |
| Childs,      | Hurd,            | Stoddard,      |
| Choate,      | Joy,             | Strong,        |
| Chapoton,    | Kanouse,         | Taylor,        |
| Cook,        | Kelsey,          | Tibbits,       |
| Cooley,      | Leetch,          | Toll,          |
| Cox,         | Lockwood,        | Wade,          |
| Crego,       | Miller,          | Wallin,        |
| Cutcheon,    | Morrison,        | Warner,        |
| C. Davis,    | Moore,           | Waterbury,     |
| Ira Davis,   | Persons,         | Wetherby,      |
| Douglas,     | Peters,          | T. M. Wilson,  |
| Fallass,     | Peterson,        | J. B. Wilson,  |
| Foote,       | Phelps,          | Winans,        |
| Fowle,       | Piper,           | Woodman,       |
| Gilbert,     | Pratt,           | Woodward,      |
| Gregory,     | Pringle,         | Wright,        |
| A. L. Green, | Ramsdell,        | Speaker, 72    |

#### NAYS.

|                  |             |              |   |
|------------------|-------------|--------------|---|
| Mr. A. W. Davis, | Mr. Howell, | Mr. Wheeler, | 3 |
| Title agreed to. |             |              |   |

On motion of Mr. Douglas,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 160, entitled

A bill to provide for improving a certain State road from the village of Gaines, to the village of Flushing, in the county of Genesee,

Was read a third time and passed, a majority of the members elect voting therefor, by yeas and nays, as follows:

**YEAS.**

|              |             |                |
|--------------|-------------|----------------|
| Mr. Adams,   | Mr. Hadley, | Mr. Sessions,  |
| Alexander,   | Haire,      | Shanahan,      |
| Baker,       | Henderson,  | Smith,         |
| Beamer,      | Hemingway,  | W. N. Stevens, |
| Blakeslee,   | Hill,       | A. Stevens,    |
| Brownell,    | Hood,       | Stewart,       |
| Bunce,       | Howell,     | Stoddard,      |
| Chase,       | Hurd,       | Strong,        |
| Childs,      | Jones,      | Taylor,        |
| Choate,      | Joy,        | Tibbits,       |
| Chapoton,    | Kanouse,    | Toll,          |
| Cook,        | Kelsey,     | Wade,          |
| Cooley,      | Leetch,     | Wallin,        |
| Cox,         | Miller,     | Warner,        |
| Crego,       | Morrison,   | Waterbury,     |
| Cutcheon,    | Moore,      | Wetherby,      |
| A. W. Davis, | Peters,     | Wheeler,       |
| C. Davis,    | Peterson,   | T. M. Wilson,  |
| Ira Davis,   | Piper,      | J. B. Wilson,  |
| Fallase,     | Pratt,      | Winans,        |
| Foote,       | Pringle,    | Woodman,       |
| Fowle,       | Ramsdell,   | Woodward,      |
| Gilbert,     | Rankin,     | Wright,        |
| A. L. Green, | Read,       | Speaker,       |
| N. K. Green, |             |                |

78

**NAYS.**

Mr. Gregory, Mr. Hodges,

Title agreed to.

On motion of Mr. Rankin,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate joint resolution, entitled

Joint resolution authorizing the State Treasurer to charge certain items to account suspense,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|              |                  |                |
|--------------|------------------|----------------|
| Mr. Adams,   | Mr. N. K. Green, | Mr. Sessions,  |
| Alexander,   | Hadley,          | Shank,         |
| Baker,       | Haire,           | Shanahan,      |
| Beamer,      | Henderson,       | Smith,         |
| Blakeslee,   | Hemingway,       | W. N. Stevens, |
| Brownell,    | Hill,            | A. Stevens,    |
| Bunce,       | Hodgea,          | Stewart,       |
| Chase,       | Howell,          | Stoddard,      |
| Childs,      | Hurd,            | Strong,        |
| Choate,      | Jones,           | Taylor,        |
| Chapoton,    | Joy,             | Tibbits,       |
| Cook,        | Kanouse,         | Toll,          |
| Cooley,      | Kelsey,          | Wade,          |
| Cox,         | Leetch,          | Wallin,        |
| Crego,       | Lockwood,        | Warner,        |
| Cutcheon,    | Morrison,        | Waterbury,     |
| A. W. Davis, | Moore,           | Wetherby,      |
| C. Davis,    | Persons,         | Wheeler,       |
| Ira Davis,   | Peters,          | T. M. Wilson,  |
| Douglas,     | Peterson,        | J. B. Wilson,  |
| Fallass,     | Phelps,          | Winans,        |
| Foote,       | Piper,           | Woodman,       |
| Fowle,       | Pringle,         | Woodward,      |
| Gilbert,     | Ramsdell,        | Wright,        |
| Gregory,     | Rankin,          | Speaker,       |
| A. L. Green, |                  |                |

76

## NAYS.

0

Title and preamble agreed to.

Senate bill, entitled

A bill relating to deposit accounts and to interest, exchange and commissions received or paid by the State Treasurer,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|            |             |                |
|------------|-------------|----------------|
| Mr. Adams, | Mr. Hadley, | Mr. Read,      |
| Alexander, | Haire,      | Sessions,      |
| Baker,     | Henderson,  | Shank,         |
| Beamer,    | Hemingway,  | Shanahan,      |
| Brownell,  | Hill,       | Smith,         |
| Bunce,     | Hodgea,     | W. N. Stevens, |



|              |           |               |
|--------------|-----------|---------------|
| Chase,       | Howell,   | A. Stevens,   |
| Childs,      | Hurd,     | Stewart,      |
| Choate,      | Jones,    | Stoddard,     |
| Chapoton,    | Joy,      | Strong,       |
| Cook,        | Kanouse,  | Taylor,       |
| Cooley,      | Kelsey,   | Tibbits,      |
| Cox,         | Leetch,   | Toll,         |
| Crego,       | Lockwood, | Wallin,       |
| Cutcheon,    | Morrison, | Warner,       |
| A. W. Davis, | Moore,    | Waterbury,    |
| C. Davis,    | Persons,  | Wetherby,     |
| Ira Davis,   | Peters,   | Wheeler,      |
| Douglas,     | Peterson, | T. M. Wilson, |
| Fallass,     | Phelps,   | J. B. Wilson, |
| Foote,       | Piper,    | Winans,       |
| Fowle,       | Pratt,    | Woodman,      |
| Gilbert,     | Pringle,  | Woodward,     |
| Gregory,     | Ramsdell, | Wright,       |
| A. L. Green, | Rankin,   | Speaker.      |
| N. K. Green, |           |               |

76

0

## NAYS

Pending the announcement of the vote,

Mr. Cutcheon moved that Mr. Shank be excused from voting;

Which motion did not prevail.

Mr. Shank then voted as recorded above.

Title agreed to.

Mr. Cutcheon then moved to suspend the rule prohibiting the third reading of bills on the same day they are reported by a committee, and that the bills now on the order of third reading, be put on their final passage ;

Which motion prevailed.

Senate bill No. 40, entitled

A bill to provide the means for the redemption of the bonds of the State, maturing January 1, 1863,

Being under consideration,

On motion of Mr. Howell,

The reading of the bill *in extenso* was dispensed with.

The bill was then read a third time, by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|              |             |                |
|--------------|-------------|----------------|
| Mr. Adams,   | Mr. Hadley, | Mr. Read,      |
| Alexander,   | Haire,      | Sessions,      |
| Baker,       | Henderson,  | Shank,         |
| Beamer,      | Hemingway,  | Shanahan,      |
| Blakeslee,   | Hill,       | Smith,         |
| Bunce,       | Hodges,     | W. N. Stevens, |
| Chase,       | Howell,     | A. Stevens,    |
| Childs,      | Hurd,       | Stewart,       |
| Choate,      | Jones,      | Stoddard,      |
| Chapoton,    | Joy,        | Strong,        |
| Cook,        | Kanouse,    | Taylor,        |
| Cooley,      | Kelsey,     | Tibbits,       |
| Cox,         | Leetch,     | Toll,          |
| Orego,       | Lockwood,   | Wade,          |
| Outcheon,    | Miller,     | Wallin,        |
| A. W. Davis, | Morrison,   | Warner,        |
| C. Davis,    | Moore,      | Waterbury,     |
| Ira Davis,   | Persons,    | Wetherby,      |
| Fallass,     | Peters,     | Wheeler,       |
| Foots,       | Peterson,   | T. M. Wilson,  |
| Fowle,       | Phelps,     | J. B. Wilson,  |
| Gilbert,     | Piper,      | Winans,        |
| Goodrich,    | Pratt,      | Woodman,       |
| Gregory,     | Pringle,    | Woodward,      |
| A. L. Green, | Ramsdell,   | Wright,        |
| N. K. Green, | Rankin,     | Speaker, 18    |

## NAYS.

0

Title agreed to.

Senate bill No. 63, being

A bill relative to the arrest and surrender of fugitives from justice,

Was read a third time, and a majority of all the members elect not voting therefor, was not passed, by yeas and nays, as follows:

## YEAS.

|                |              |               |
|----------------|--------------|---------------|
| Mr. Blakeslee, | Mr. Kanouse, | Mr. Shank,    |
| Brownell,      | Lockwood,    | Stoddard,     |
| Choate,        | Moore,       | Strong,       |
| Chapoton,      | Peters,      | Taylor,       |
| Cook,          | Peterson,    | Waterbury,    |
| Cooley,        | Phelps,      | Wheeler,      |
| A. W. Davis,   | Piper,       | T. M. Wilson, |

Ira Davis,  
Joy,

Ramsdell,

Wright,

25

### NAYS.

Mr. Adams,  
Baker,  
Beamer,  
Chase,  
Childs,  
Cox,  
Grego,  
Cutcheon,  
C. Davis,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,

Mr. A. L. Green,  
Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hodges,  
Howell,  
Hurd,  
Miller,  
Morrison,  
Persons,  
Pratt,  
Pringle,  
Rankin,

Mr. Read,  
Sessions,  
Shanahan,  
Smith,  
W. N. Stevens,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Wetherby,  
J. B. Wilson,  
Winans,  
Woodard,  
Speaker,

42

House bill, entitled

A bill to extend the time for the collection of taxes in the city of East Saginaw, in Saginaw county, and to legalize the correction of errors in the assessment roll thereof, for the year 1880,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Adams,  
Atwood,  
Baker,  
Beamer,  
Blakeslee,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cook,  
Cooley,  
Oox,  
Grego,  
Cutcheon,  
A. W. Davis,  
Ira Davis,  
Fallas,  
Foote,  
Fowle,

Mr. Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,  
Hadley,  
Haire,  
Hemingway,  
Hill,  
Howell,  
Hurd,  
Kanous,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,

Mr. Pratt,  
Rankin,  
Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
Taylor,  
Toll,  
Wallin,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

60

## YEAS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Blakeslee,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cook,  
Cooley,  
Cox,  
Orego,  
Cutcheon,  
A. W. Davis,  
O. Davis,  
Ira Davis,  
Fallass,  
Foots,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,

Mr. Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Howell,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,  
Rankin,

Mr. Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker, 18

## NAYS.

0

Title agreed to.

Senate bill No. 63, being

A bill relative to the arrest and surrender of fugitives from justice,

Was read a third time, and a majority of all the members elect not voting therefor, was not passed, by yeas and nays, as follows:

## YEAS.

Mr. Blakeslee,  
Brownell,  
Choate,  
Chapoton,  
Cook,  
Cooley,  
A. W. Davis,

Mr. Kanouse,  
Lockwood,  
Moore,  
Peters,  
Peterson,  
Phelps,  
Piper,

Mr. Shank,  
Stoddard,  
Strong,  
Taylor,  
Waterbury,  
Wheeler,  
T. M. Wilson,

Ira Davis,  
Joy,

Ramsdell,

Wright,

25

NAYS.

Mr. Adams,  
Baker,  
Beamer,  
Chase,  
Childs,  
Cox,  
Grego,  
Cutcheon,  
C. Davis,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,

Mr. A. L. Green,  
Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hodges,  
Howell,  
Hurd,  
Miller,  
Morrison,  
Persons,  
Pratt,  
Pringle,  
Rankin,

Mr. Read,  
Sessions,  
Shanahan,  
Smith,  
W. N. Stevens,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Wetherby,  
J. B. Wilson,  
Winans,  
Woodard,  
Speaker,

42

House bill, entitled

A bill to extend the time for the collection of taxes in the city of East Saginaw, in Saginaw county, and to legalize the correction of errors in the assessment roll thereof, for the year 1860,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,  
Atwood,  
Baker,  
Beamer,  
Blakeslee,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cook,  
Cooley,  
Cox,  
Grego,  
Cutcheon,  
A. W. Davis,  
Ira Davis,  
Fallass,  
Foote,  
Fowle,

Mr. Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,  
Hadley,  
Haire,  
Hemingway,  
Hill,  
Howell,  
Hurd,  
Kanouse,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,

Mr. Pratt,  
Rankin,  
Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
Taylor,  
Toll,  
Wallin,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

60

## NAYS.

Mr. Hodges,  
Stewart,

Mr. Tibbits,

Mr. Waterbury,

4

The question being upon agreeing to the title,

Mr. Baker moved to substitute the following therefor:

A bill to extend the time for the collection of taxes in the village of Lyons, Ionia county, for the year 1860, and to authorize the collection of the same;

Which was adopted.

The title was agreed to.

On motion of Mr. Sessions,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 57, entitled

A bill in relation to the collection of recognizances in criminal cases,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Alexander,  
Atwood,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cook,  
Cooley,  
Cutcheon,  
A. W. Davis,  
Ira Davis,  
Douglas,  
Fallass,

Mr. Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,  
Hadley,  
Henderson,  
Hurd,  
Joy,  
Lockwood,  
Miller,  
Moore,  
Phelps,  
Pringle,  
Rankin,  
Sessions,  
Shank,  
Shanahan,

Mr. Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Tibbits,  
Toll,  
Wallin,  
Wetherby,  
Wheeler,  
J. B. Wilson,  
Winans,  
Woodward,  
Wright,  
Speaker,

50

## NAYS.

Mr. Adams,  
Blakeslee,  
Crego,  
C. Davis,

Mr. Hodges,  
Howell,  
Kanouse,  
Kelsey,

Mr. Peterson,  
Piper,  
Ramsdell,  
Read,

Mr. Waterbury demanded the previous question.

The demand was seconded, and the main question ordered.

The question being upon the amendment, it was not adopted.

The question then recurring upon the adoption of the substitute,

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the substitute was not adopted, by yeas and nays as follows:

#### YEAS.

|                |           |                 |
|----------------|-----------|-----------------|
| Mr. Alexander, | Mr. Hill, | Mr. A. Stevens, |
| Atwood,        | Howell,   | Strong,         |
| Coeley,        | Morrison, | Toll,           |
| Gregory,       | Persons,  | Warner,         |
| Hadley,        | Pratt,    | Waterbury,      |
| Hemingway,     | Ramsdell, |                 |

17

#### NAYS.

|              |                  |                |
|--------------|------------------|----------------|
| Mr. Baker,   | Mr. N. K. Green, | Mr. Sessions,  |
| Beamer,      | Haire,           | Shank,         |
| Blakeslee,   | Henderson,       | Smith,         |
| Bunce,       | Hodges,          | W. N. Stevens, |
| Chase,       | Hurd,            | Stewart,       |
| Childs,      | Joy,             | Taylor,        |
| Choate,      | Kanouse,         | Tibbits,       |
| Cook,        | Kelsey,          | Wade,          |
| Cox,         | Leetch,          | Wetherby,      |
| A. W. Davis, | Lockwood,        | Wheeler,       |
| O. Davis,    | Miller,          | T. M. Wilson,  |
| Ira Davis,   | Moore,           | J. B. Wilson,  |
| Douglas,     | Phelps,          | Woodman,       |
| Fallass,     | Piper,           | Woodward,      |
| Foote,       | Pringle,         | Wright,        |
| Gilbert,     | Rankin,          | Speaker,       |
| Goodrich,    | Read,            |                |

50

The question then recurring upon ordering the joint resolution to a third reading,

The motion prevailed.

Mr. Howell moved that the House adjourn until to-morrow morning at 9 o'clock;

Which motion did not prevail.

On motion of Mr. Morrison,

The House took a recess until 7½ o'clock this evening.

The committee of the whole have had under consideration the following entitled joint resolution :

Joint resolution appropriating the tolls of the St. Mary's canal to the payment of the amount due counties for taxes assessed on canal lands,

Have made an amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

T. M. WILSON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The House concurred in the amendments made to the joint resolution by the committee.

Mr. Joy moved that the joint resolution be ordered to a third reading;

Pending which motion,

Mr. Hemingway offered the following as a substitute for the resolution:

*Resolved, by the Senate and House of Representatives of the State of Michigan, That an appropriation of sixty thousand dollars be and the same is hereby made from the general fund of the State for the purpose of paying to the several counties, in which such canal land lies, the amount of such tax receipted and charged to the general fund, with the interest thereon at ten per cent. from and after the time the same was returned to the office of the Auditor General. And that said amount be added to the State tax for the current year, and that the several county treasurers of the counties in which such land lies, be authorized to draw from the State Treasury, on the warrant of the Auditor General, the amount due to such counties respectively at any time after the next State tax shall be collected and paid over to the State Treasurer.*

The question being upon the adoption of the substitute,

Mr. T. M. Wilson moved to strike out the words "general fund," wherever they occur in the substitute, and insert in place thereof, the words "suspense account."



Mr. Waterbury demanded the previous question.

The demand was seconded, and the main question ordered.

The question being upon the amendment, it was not adopted.

The question then recurring upon the adoption of the substitute,

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the substitute was not adopted, by yeas and nays as follows:

#### YEAS.

Mr. Alexander,  
Atwood,  
Oooley,  
Gregory,  
Hadley,  
Hemingway,

Mr. Hill,  
Howell,  
Morrison,  
Persons,  
Pratt,  
Ramadell,

Mr. A. Stevens,  
Strong,  
Toll,  
Warner,  
Waterbury,

17

#### NAYS.

Mr. Baker,  
Beamer,  
Blakeslee,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cook,  
Cox,  
A. W. Davis,  
O. Davis,  
Ira Davis,  
Douglas,  
Fallas,  
Foote,  
Gilbert,  
Goodrich,

Mr. N. K. Green,  
Haire,  
Henderson,  
Hodges,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Moore,  
Phelps,  
Piper,  
Pringle,  
Rankin,  
Read,

Mr. Sessions,  
Shank,  
Smith,  
W. N. Stevens,  
Stewart,  
Taylor,  
Tibbits,  
Wade,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Woodman,  
Woodward,  
Wright,  
Speaker,

50

The question then recurring upon ordering the joint resolution to a third reading,

The motion prevailed.

Mr. Howell moved that the House adjourn until to-morrow morning at 9 o'clock;

Which motion did not prevail.

On motion of Mr. Morrison,

The House took a recess until 7½ o'clock this evening.

The question being upon the adoption of the substitute,  
During debate upon the motion, Mr. Howell occupying the floor,

Mr. Wallin rose to a point of order—that the gentleman from Newaygo, having spoken once upon the motion, he was out of order, and claimed the floor for himself, to make some remarks.

The Speaker *pro tem.* decided that Mr. Wallin should have made his point of order at the time the gentleman commenced his remarks; and not having done so, the gentleman was entitled to the floor.

Mr. Cutcheon appealed from the decision of the chair.

The Speaker *pro tem.* announced—"shall the decision of the chair stand as the decision of the House?"

The decision of the chair was sustained.

Mr. Howell, continuing his remarks, proceeded to read from the published debates of the constitutional convention, in support of his argument.

Mr. Cutcheon rose to a point of order—that the gentleman had no right to read from any printed document.

The Speaker *pro tem.* decided that the subject under discussion, involving a constitutional question, the gentleman had a right to quote authority in support of his position.

The Speaker resumed the chair.

Mr. Morrison demanded the previous question.

The demand was seconded, and the main question ordered.

The substitute was adopted.

The question recurring upon the motion to recommit the bill with instructions,

Mr. Cutcheon demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

#### YEAS.

|            |            |             |
|------------|------------|-------------|
| Mr. Adams, | Mr. Haire, | Mr. Rankin, |
| Alexander, | Henderson, | Read,       |
| Beamer,    | Hemingway, | A. Stevens, |
| Brownell,  | Hill,      | Stoddard,   |
| Choate,    | Hodges,    | Strong,     |

|              |           |               |
|--------------|-----------|---------------|
| Cook,        | Howell,   | Tibbits,      |
| Cooley,      | Hurd,     | Toll,         |
| A. W. Davis, | Kelsey,   | Warner,       |
| C. Davis,    | Leetch,   | Waterbury,    |
| Ira Davis,   | Morrison, | T. M. Wilson, |
| Douglas,     | Persons,  | J. B. Wilson, |
| Fallass,     | Peters,   | Woodward,     |
| Foots,       | Piper,    | Wright,       |
| N. K. Green, | Pratt,    | Speaker,      |
| Hadley,      | Ramsdell, |               |

44

## NAYS.

|             |                  |                |
|-------------|------------------|----------------|
| Mr. Atwood, | Mr. A. L. Green, | Mr. Smith,     |
| Baker,      | Joy,             | W. N. Stevens, |
| Bunce,      | Kanouse,         | Stewart,       |
| Chase,      | Lockwood,        | Taylor,        |
| Childs,     | Miller,          | Wade,          |
| Chapoton,   | Moore,           | Wallin,        |
| Cox,        | Phelps,          | Wetherby,      |
| Orego,      | Pringle,         | Wheeler,       |
| Cutcheon,   | Sessions,        | Winans,        |
| Gilbert,    | Shank,           | Woodman,       |
| Goodrich,   | Shanahan,        |                |

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On motion of Mr. Alexander,

The House adjourned till to-morrow morning at 9 o'clock.

*Lansing, Friday, March 1, 1861.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Merrill.

Roll called: *queram* present.

## PETITIONS PRESENTED.

By Mr. Wallin: petition of J. W. Kent, W. S. Miner, John Henderson, P. O. Littlejohn, John Seward Cray, E. B. Grover, R. Weare, Porter Rood, Benjamin Pratt, and 203 other citizens of Allegan county, for the repeal of the prohibitory liquor law, and for the submission to the people of an amendment to the Constitution, authorizing the passage of a license law;

Laid on the table.

By Mr. Kelsey: petition of G. S. Ramsdell, H. S. Burnett, D.

propose to so amend the bill that the regular term of the contract shall be for four years; and in order to bring the contracts to a convenient termination, in view of the biennial sessions of the legislature, that the first contract be let for the term of five years.

The main feature of this bill being the establishment of maximum prices for doing the public printing and binding, which is a new experiment in this State, your committee have concluded to recommend the principle of the law in operation in Wisconsin, fixing the maximum rates at the ordinary trade prices, and providing that the contract shall be let with reference to the greatest uniform per centum discount from the prices, offered by bidders for the work.

There are likewise some further proposed amendments to the bill, in which the concurrence of the House is respectfully asked, and when so amended the committee recommend that the same do pass, and ask to be discharged from its further consideration.

F. H. RANKIN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Tibbits,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred Senate bill entitled

A bill to provide for selecting and locating the unselected deficiency existing in the quantity of lands due to the State of Michigan, under the act of Congress approved May 20th, 1826, and for any other land grant made by act of Congress to this State,

Respectfully report that they have had the same under consideration, and report the same back to the House without amendment, and recommend that the same do pass, and ask

to be discharged from the further consideration of the same.

All of which is respectfully submitted.

J. C. WATERBURY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The bill was placed on the order of third reading.

By the committee on towns and counties :

The committee on towns and counties, to whom was referred

A bill to amend chapter 14, of the revised statutes of 1846, or chapter 10, of the compiled laws of 1857, entitled of county offices,

Have considered the same, and direct me to report the bill back to the House without recommendation, and ask to be discharged from further consideration thereof.

J. B. WILSON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. B. Wilson,

The bill was laid on the table.

By the committee on engrossment and enrollment :

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following entitled bills:

A bill to authorize the conveyance of certain portions of section sixteen, township one south, of range eleven west, in the county of Kalamazoo;

Also,

A bill to attach certain unorganized territory to the county of Iosco;

Also,

A bill to provide for holding inquests on the view of dead bodies within incorporated cities in this State by coroners of the county in which they are situate;

Also,

A bill to change the name of the township of Little Sauble, in the county of Mason;

Also,

A bill to amend an act entitled an act to organize the township of Garden Island and to change the name of said township;

Also,

A bill to provide for the preservation of bridges in certain cases.

A. L. GREEN, *Chairman*.

Report accepted.

By the committee on education:

The committee on education, to whom was referred

A bill to amend an act for the benefit of fractional school district No. 1, of Vassar, and No. 2, of Tuscola,

Report the same back without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the same.

B. L. HILL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

#### REPORTS OF SELECT COMMITTEES.

The special committee to whom was referred Senate bill, entitled

A bill to amend section 1 of an act entitled "an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches," being act 117 of the session laws of 1859;

Also, House bill, entitled

A bill to amend subdivision No. 2 of sec. 1, of act No. 117, session laws of 1859,

Respectfully report that they have substituted portions of the latter bill for corresponding portions of the former, and that they have made other amendments in the former bill. They respectfully ask that the House concur in the amendments to the Senate bill, and recommend that it do pass. They also recommend that the House bill do not pass.

GILBERT E. PRATT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Ramsdell,

The House concurred in the amendments made by the committee.

On motion of Mr. Howell,

The Senate bill was ordered to a third reading.

On motion of Mr. Howell,

The House bill was laid on the table.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, February 28, 1861. }

*To the House of Representatives:*

I have approved and deposited in the office of the Secretary of State the following:

An act to change the name of the township of Fremont, in the county of Alpena;

Also,

An act to amend an act entitled an act to provide punishment for fraudulently removing or embezzling property under chattel mortgages, approved February 15th, 1859;

Also,

An act to amend section 5, of chapter 165, of the revised statutes of 1846, section 6072 of compiled laws, relative to challenging jurors in criminal cases;

Also,

An act to amend an act entitled an act to incorporate the city of Battle Creek, approved Feb. 3, 1859;

Also,

An act to provide for the levying of a special tax in certain townships in Van Buren and Allegan counties herein named, for the improvement of the mouth of the South Black River, in the county of Van Buren;

Also,

An act to amend section five, of chapter eighty-one, of the re-

vised statutes of 1846, being section 2436 of compiled laws, relative to bonds of county treasurers in certain cases ;

Also,

An act to organize the township of Wisner, in the county of Tuscola ;

Also,

An act to amend sections 1, 4 and 5, title 2, and section 6, of title 4, and sections 5, 6, 7 and 10, of title 5, also by adding a section to said title to stand as section 90, and sections 37, 38 and 40, of title 6, of an act to incorporate the city of East Saginaw, approved February 15, 1859 ;

Also,

An act to amend an act to incorporate the city of Ann Arbor, approved April 4, 1851.

AUSTIN BLAIR.

Laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,  
Lansing, February 28, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to re-transmit the following entitled bill :

A bill to incorporate the city of Pontiac ;

And to inform the House that the Senate has concurred in all the amendments made by the House, except striking out, in 7th section, the words, "on the fourth of July then next, and hold the same for four years," and inserting, "immediately, after having been notified of their election, and the filing of their several bonds and oaths of office, and shall hold office until the fourth day of July, in the year one thousand eight hundred and sixty-five;" with an amendment, to insert, at the end of section seven, the words, " *Provided*, That at said first election, one additional justice of the peace shall be elected in each of said wards or districts, to hold his office from the time he shall be



elected and qualified, until the fourth day of July, one thousand eight hundred and sixty-one;"

In which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Cooley moved that the House concur in the amendments made to the bill by the Senate;

Mr. Wallin demanded the previous question.

The demand was seconded, and the main question ordered.

The question being upon concurring in the action of the Senate, the House concurred, by yeas and nays, as follows:

#### YEAS.

|                |                |                |
|----------------|----------------|----------------|
| Mr. Alexander, | Mr. Hemingway, | Mr. Sessions,  |
| Baker,         | Hurd,          | Shank,         |
| Blakeslee,     | Kanouse,       | Shanahan,      |
| Chase,         | Kelsey,        | W. N. Stevens, |
| Childs,        | Leetch,        | Stoddard,      |
| Choate,        | Miller,        | Taylor,        |
| Cook,          | Moore,         | Wade,          |
| Cox,           | Persons,       | Wallin,        |
| Cutcheon,      | Peters,        | Waterbury,     |
| A. W. Davis,   | Peterson,      | Wetherby,      |
| Ira Davis,     | Phelps,        | J. B. Wilson,  |
| Douglas,       | Piper,         | Woodman,       |
| Fallass,       | Pringle,       | Woodward,      |
| Goodrich,      | Ramsdell,      | Wright,        |
| A. L. Green,   | Rankin,        | Speaker,       |
| Henderson,     |                |                |

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#### NAYS.

|            |              |               |
|------------|--------------|---------------|
| Mr. Adams, | Mr. Gregory, | Mr. Stewart,  |
| Atwood,    | Hadley,      | Strong,       |
| Beamer,    | Haire,       | Tibbits,      |
| Brownell,  | Hodges,      | Toll,         |
| Chapoton,  | Howell,      | Warner,       |
| Cooley,    | Joy,         | Wheeler,      |
| C. Davis,  | Pratt,       | T. M. Wilson, |
| Fowle,     | Smith,       | Winans,       |
| Gilbert,   | A. Stevens,  |               |

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· Pending the announcement of the vote,

Mr. Miller moved that Mr. Adams be excused from voting:

Which motion did not prevail.

Mr. Adams then voted as recorded above.

Mr. Cooley asked the unanimous consent of the House to move a reconsideration of the vote whereby the House passed the bill;

Objected to by Mr. Woodman.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Phelps offered the following :

*Resolved*, That the committee on printing be requested to report when the Manuals ordered printed for the use of the members of this House may be procured;

Which was adopted.

Mr. Joy moved to take from the table Senate bill No. 5, entitled

A bill to amend an act entitled an act relative to plank roads, approved March 15, 1848;

Which motion prevailed.

On motion of Mr. Joy,

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Joy moved that the committee of the whole be discharged from the further consideration of House joint resolution, entitled

Joint resolution for the relief of the Detroit Locomotive works ;

Which motion prevailed.

On motion of Mr. Joy,

The joint resolution was placed on the order of third reading.

Mr. Adams moved to take from the table Senate bill, entitled

A bill to vacate a part of the village plat of South Haven, in Van Buren county ;

Which motion prevailed.

On motion of Mr. Adams,

The bill was referred to the committee of the whole, and placed on the general order..

Mr. Adams offered the following :

*Resolved*, (The Senate concurring), That the Secretary of State be and is hereby authorized and directed to forward one copy of the session laws, and one copy of the Senate and House journals and joint documents of this session of the Legislature, to the county clerk of each organized county in this State, so soon as the same are printed, bound, and ready for delivery, to be retained in said offices as documents for public reference.

Laid on the table under the rules.

Mr. C. Davis moved that the committee of the whole be discharged from the further consideration of House bill No. 157, entitled

A bill to lay out a State road from Fulkerson's, in the county of Kent, to White river, in the county of Oceana ;

Which motion prevailed.

On motion of Mr. C. Davis,

The bill was placed on the order of third reading.

#### THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Senate joint resolution No. 7, entitled

Joint resolution appropriating the tolls of the St. Mary's canal to the payment of the amount due counties for taxes assessed on canal lands,

Was read a third time, and pending the taking of the vote,

Mr. Howell moved to recommit the bill to the committee on ways and means, with instructions to strike out, in line 7, the figures "1862," and insert "1861;"

Mr. Warner moved, as a substitute for the motion, to commit the joint resolution to a select committee of three, with instructions so to amend the same that the present indebtedness of the State to the Saut St. Marie canal fund shall be applied to the payment of the taxes remitted on Saut St. Marie canal lands by the State, and sufficient of the first next accruing revenue from the canal tolls to pay the balance. The present indebtedness of the State to be provided for as soon as the State can reasonably pay the same;

Which substitute was accepted.

Mr. Fallase demanded the previous question;

The demand was seconded, and the main question ordered.

The question being upon committing the joint resolution, with instructions,

Mr. Howell demanded the yeas and nays,

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

## YEAS.

|                |             |               |
|----------------|-------------|---------------|
| Mr. Alexander, | Mr. Hill,   | Mr. Stoddard, |
| Atwood,        | Howell,     | Strong,       |
| Brownell,      | Lockwood,   | Toll,         |
| Cooley,        | Phelps,     | Wade,         |
| Douglas,       | Pratt,      | Warner,       |
| Gregory,       | Ramsdell,   | J. B. Wilson, |
| Hadley,        | Smith,      | Winans,       |
| Hemingway,     | A. Stevens, | Wright,       |

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## NAYS.

|              |              |                |
|--------------|--------------|----------------|
| Mr. Adams,   | Mr. Gilbert, | Mr. Piper,     |
| Baker,       | Goodrich,    | Rankin,        |
| Beamer,      | A. L. Green, | Read,          |
| Bunce,       | N. K. Green, | Sessions,      |
| Chase,       | Haire,       | Shank,         |
| Childs,      | Henderson,   | W. N. Stevens, |
| Choate,      | Hodges,      | Stewart,       |
| Chapoton,    | Hurd,        | Taylor,        |
| Cook,        | Joy,         | Tibbits,       |
| Cox,         | Kanouse,     | Wallin,        |
| Orego,       | Kelsey,      | Waterbury,     |
| Cutcheon,    | Miller,      | Wheeler,       |
| A. W. Davis, | Moore,       | T. M. Wilson,  |
| C. Davis,    | Persons,     | Woodman,       |
| Ira Davis,   | Peters,      | Woodward,      |
| Fallase,     | Peterson,    | Speaker,       |
| Fowler,      |              |                |

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The question recurring upon the passage of the joint resolution, it was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|            |              |             |
|------------|--------------|-------------|
| Mr. Adams, | Mr. Gilbert, | Mr. Rankin, |
| Beamer,    | Goodrich,    | Sessions,   |
| Bunce,     | A. L. Green, | Shank,      |
| Chase,     | N. K. Green, | Smith,      |

|              |            |                |
|--------------|------------|----------------|
| Childs,      | Haire,     | W. N. Stevens, |
| Chapoton,    | Henderson, | Stewart,       |
| Cook,        | Hodges,    | Taylor,        |
| Cox,         | Joy,       | Tibbits,       |
| Crego,       | Kanouse,   | Wallin,        |
| Cutcheon,    | Kelsey,    | Waterbury,     |
| A. W. Davis, | Miller,    | Wheeler,       |
| C. Davis,    | Moore,     | T. M. Wilson,  |
| Ira Davis,   | Peterson,  | Woodward,      |
| Fallase,     | Piper,     | Wright,        |
| Fowle,       | Ramsdell,  | Speaker, 45    |

## NAYS.

|                |                |                 |
|----------------|----------------|-----------------|
| Mr. Alexander, | Mr. Hemingway, | Mr. A. Stevens, |
| Atwood,        | Hill,          | Stoddard,       |
| Blakeslee,     | Howell,        | Strong,         |
| Brownell,      | Hurd,          | Toll,           |
| Choate,        | Lockwood,      | Wade,           |
| Cooley,        | Persons,       | Warner,         |
| Douglas,       | Peters,        | Winans,         |
| Gregory,       | Phelps,        | Woodman,        |
| Hadley,        | Pratt,         | 26              |

Title and preamble agreed to.

Mr. Ramsdell moved to reconsider the voto whereby the joint resolution was passed;

Mr. Lockwood moved to lay the motion on the table;

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

## YEAS.

|              |              |                |
|--------------|--------------|----------------|
| Mr. Adams,   | Mr. Fowle,   | Mr. Piper,     |
| Baker,       | Gilbert,     | Rankin,        |
| Beamer,      | Goodrich,    | Read,          |
| Blakeslee,   | A. L. Green, | Sessions,      |
| Bunce,       | N. K. Green, | Shank,         |
| Chase,       | Haire,       | W. N. Stevens, |
| Childs,      | Henderson,   | Stewart,       |
| Choate,      | Hodges,      | Taylor,        |
| Chapoton,    | Hurd,        | Tibbits,       |
| Cook,        | Joy,         | Wallin,        |
| Cox,         | Kanouse,     | Waterbury,     |
| Crego,       | Kelsey,      | Wheeler,       |
| Cutcheon,    | Miller,      | T. M. Wilson,  |
| A. W. Davis, | Moore,       | Woodman,       |

C. Davis,  
Ira Davis,  
Fallas,

Peters,  
Peterson,

Woodward,  
Speaker,

49

## NAYS.

Mr. Alexander,  
Atwood,  
Brownell,  
Cooley,  
Douglas,  
Gregory,  
Hadley,  
Hemingway,

Mr. Hill,  
Howell,  
Lockwood,  
Persons,  
Phelps,  
Pratt,  
Ramsdell,  
Smith,

Mr. A. Stevens,  
Stoddard,  
Strong,  
Toll,  
Wade,  
Warner,  
Winans,  
Wright, 24.

Pending the announcement of the vote,

Mr. Alexander moved that Mr. Miller be excused from voting;  
Which motion did not prevail.

Mr. Miller then voted as recorded above.

House bill No. 157, entitled

A bill to lay out a State road from Fulkerson's in the county  
of Kent, to White river, in the county of Oceana,

Being under consideration,

On motion of Mr. Waterbury,

The bill was recommitted to the committee on roads and  
bridges.

House joint resolution, entitled

Joint resolution for the relief of the Detroit locomotive works,

Being under consideration,

On motion of Mr. Joy,

The joint resolution was laid on the table.

House bill No. 95, entitled

A bill to amend an act entitled an act to provide for assessing  
property at its true value, and for levying and collecting taxes  
thereon, approved Feb. 14, 1853, and an act amendatory thereto,  
approved February 12, 1855, and an act amendatory thereto ap-  
proved February 4, 1858,

Was read a third time, and pending the taking of the vote,

Mr. Ramsdell moved to recommit the bill to the committee on  
ways and means, with the following instructions:

Amend section 88 as follows, to wit: By inserting after the

words "Auditor General," in the last line of said section, "on or before the first day of November."

Also, section 99 by inserting after the word "paid," in the fourth line, "to the proper officer, or that there are no such lands as described in the certificate of purchase or deed," and also insert after the word "sale," in the fifth line, the following words: "or if the deed has been delivered, he shall, on application of the purchaser, receive such erroneous deed."

Also, section 101, so as to give the circuit court commissioner authority to take depositions and certify the same to the circuit court of the proper county, for hearing and decision therein, and limiting the time of the commencement of such suits to three years after sale.

Also, that section 154 be so amended as to give the administrators or executors of deceased persons the authority to assign certificates of purchase, &c.

Mr. Howell moved to strike out of the instructions so much as relates to amending section, 101 ;

Which motion prevailed.

The question recurring upon the motion to recommit,

Mr. Ramsdell moved a call of the House ;

Which motion prevailed.

Upon the call of the roll by the Clerk, Messrs. Follett, Foote, Fewle, Jones, Persons and Warner, were reported absent without leave.

On motion of Mr. Stoddard,

All further proceedings under the call were dispensed with.

The motion to recommit did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Blakeslee,  
Brownell,

Mr. Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,

Mr. Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,

|              |           |               |
|--------------|-----------|---------------|
| Bunce,       | Howell,   | A. Stevens,   |
| Chase,       | Hurd,     | Stewart,      |
| Childs,      | Joy,      | Stoddard,     |
| Choate,      | Kanouse,  | Strong,       |
| Chapoton,    | Leetch,   | Taylor,       |
| Cooley,      | Lockwood, | Tibbits,      |
| Cook,        | Morrison, | Wade,         |
| Cox,         | Moore,    | Wallin,       |
| Crego,       | Peters,   | Warner,       |
| Cutcheon,    | Peterson, | Wetherby,     |
| A. W. Davis, | Phelps,   | Wheeler,      |
| O. Davis,    | Piper,    | T. M. Wilson, |
| Ira Davis,   | Pratt,    | J. B. Wilson, |
| Fallass,     | Pringle,  | Winans,       |
| Gilbert,     | Ramsdell, | Woodman,      |
| Goodrich,    | Rankin,   | Woodward, 66  |

## NAYS.

|             |             |                |
|-------------|-------------|----------------|
| Mr. Atwood, | Mr. Hodges, | Mr. Waterbury, |
| Hemingway,  | Kelsey,     | Wright,        |
| Hill,       | Toll,       | Speaker, 9     |

Title agreed to.

On motion of Mr. Howell,

The House adjourned until this afternoon at 2 o'clock.

## AFTERNOON SESSION.

2 o'clock, P. M.

House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Pringle asked and obtained leave of absence for Mr. Baker until Tuesday next.

## GENERAL ORDER.

On motion of Mr. Childs,

The House went into committee of the whole on the general order,

Mr. Pratt in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:



1. House bill No 67, entitled

A bill to amend an act entitled an act to organize the Michigan asylum for the insane, and more effectually to provide for the care, maintenance and recovery of the insane;

2. House bill No. 108, entitled

A bill to organize the county of Bleecker ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

3. Senate bill, entitled

A bill to change the name of the unorganized county of Otsego to that of Seward;

Have stricken out all after the enacting clause, and have directed their chairman to report that fact to the House, and to recommend its concurrence therein.

The committee of the whole have also had under consideration House bill No. 102, entitled

4. A bill to provide for a county superintendent of schools, and to amend and repeal certain sections of the primary school laws, and to repeal sections 74, 85, 86, 88, 89 and 90, of chapter 78, of the compiled laws ;

And report the same back to the House and ask to be discharged from its further consideration.

The committee of the whole have also had under consideration the following entitled bills :

5. Senate bill No. 23, entitled

A bill to amend sections 3520, 3521 and 3522, of chapter 115, of the compiled laws, concerning the abatement and revivor of suits in chancery;

6. House bill No. 99, entitled

A bill to authorize the formation of gymnastic associations;

7. Senate bill No. 35, entitled

A bill to amend sections 6138 and 6140, of the compiled

laws, being sections 10 and 12, of chapter 201, providing for the employment of prisoners confined in the county jails;

8. House bill No. 105, entitled

A bill to amend section 26 of an act entitled an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1849, being chapter 141 of the compiled laws;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

G. E. PRATT, *Chairman*.

On motion of Mr. Tibbits,

The amendments to the first named bill were concurred in, and the bill ordered engrossed for a third reading.

On motion of Mr. Blakeslee,

The amendment to the second named bill was concurred in, and the bill was ordered engrossed for a third reading.

Mr. Pringle moved that the House concur in the action of the committee of the whole, in striking out all after the enacting clause of the third named bill.

Which motion did not prevail.

On motion of Mr. Pringle,

The rules were suspended, and the bill placed on its final passage.

The bill being Senate bill, entitled

A bill to change the name of the unorganized county of Otsego to that of Seward,

Was then read a third time, and a majority of all the members elect not voting therefor, was not passed, by yeas and nays, as follows:

#### YEAS.

Mr. Adams,  
Alexander,  
Blakeslee,  
Choate,  
Chapoton,  
Cooley,

Mr. Hadley,  
Hill,  
Howell,  
Hurd,  
Kelsey,  
Leetch,

Mr. Rankin,  
Sessions,  
Shank,  
Smith,  
Stoddard,  
Taylor,

Cox,  
Cutcheon,  
Fowle,  
Gregory,

Morrison,  
Phelps,  
Pratt,  
Pringle,

Wallin,  
T. M. Wilson,  
J. B. Wilson,  
Wright, 30

## NAYS.

Mr. Atwood,  
Beamer,  
Bunce,  
Chase,  
Childs,  
Crego,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Gilbert,  
Goodrich,  
A. L. Green,  
N. K. Green,

Mr. Haire,  
Henderson,  
Hodges,  
Joy,  
Kanouse,  
Lockwood,  
Miller,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Ramsdell,  
Read,

Mr. Shanahan,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Strong,  
Tibbits,  
Toll,  
Wade,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
Woodman,  
Woodward,  
Speaker, 45

Pending the announcement of the vote,

Mr. Tibbits moved that Mr. A. W. Davis be excused from voting ;

Which motion did not prevail.

Mr. A. W. Davis then voted as recorded above.

The fourth named bill being under consideration,

Mr. Cutcheon moved to lay the bill on the table.

Mr. Alexander demanded the yeas and nays ;

The demand was seconded, and the motion prevailed, by yeas and nays, as follows :

## YEAS.

Mr. Adams,  
Alexander,  
Atwood,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Childs,  
Cook,  
Cooley,  
Crego,

Mr. A. L. Green,  
Hadley,  
Henderson,  
Hill,  
Howell,  
Hurd,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Persons,

Mr. Shanahan,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,

Cutcheon  
Ira Davis,  
Douglas,  
Fallass,  
Gilbert,  
Goodrich,

Peterson,  
Phelps,  
Pratt,  
Ramsdell,  
Sessions,  
Shank,

T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodward,  
Speaker,

50

## NAYS.

Mr. Chase,  
Choate,  
Chapoton,  
Cox,  
A. W. Davis,  
C. Davis,  
Fowle,  
Gregory,  
N. K. Green,

Mr. Haire,  
Hodges,  
Joy,  
Miller,  
Morrison,  
Moore,  
Peters,  
Piper,  
Pringle,

Mr. Rankin,  
Read,  
Strong,  
Waterbury,  
Wetherby,  
Wheeler,  
Woodman,  
Wright,

26

Mr. Alexander moved that the House adjourn ;

Which motion did not prevail.

On motion of Mr. Pringle,

The rules were suspended, and the fifth named bill was placed on its final passage.

The bill, being Senate bill No. 23, entitled

A bill to amend sections 3520, 3521 and 3522, of chapter 115 of the compiled laws, concerning the abatement and revivor of suits in chancery,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Adams,  
Alexander,  
Atwood,  
Beamer,  
Blakeslee,  
Brownell,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cook,  
Cox,  
Crego,  
Cutcheon,

Mr. Hadley,  
Henderson,  
Hill,  
Hodges,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peters,

Mr. Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,

|              |           |               |
|--------------|-----------|---------------|
| A. W. Davis, | Peterson, | Waterbury,    |
| Ira Davis,   | Phelps,   | Wetherby,     |
| Fallass,     | Piper,    | Wheeler,      |
| Fowle,       | Pratt,    | T. M. Wilson, |
| Gilbert,     | Pringle,  | Woodman,      |
| Goodrich,    | Ramsdell, | Woodward,     |
| Gregory,     | Rankin,   | Wright,       |
| A. L. Green, | Read,     | Speaker,      |
| N. K. Green, |           |               |

67

## NAYS.

|             |            |               |
|-------------|------------|---------------|
| Mr. Cooley, | Mr. Haire, | Mr. Miller,   |
| C. Davis,   | Leetch,    | J. B. Wilson, |

6

Pending the announcement of the vote.

Mr. Read moved that Mr. Miller be excused from voting ;

Which motion did not prevail.

Mr. Miller then voted as above recorded.

Title agreed to.

On motion of Mr. Pringle,

By a vote of two-thirds of all the members elect, the bill was ordered to take effect.

On motion of Mr. Howell,

The rules were suspended, and the sixth named bill was placed on its final passage.

The bill, being House bill No. 99, entitled

A bill to authorize the formation of gymnastic associations,

Was read a third time and passed, a majority of the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|            |              |                |
|------------|--------------|----------------|
| Mr. Adams, | Mr. Gregory, | Mr. Read,      |
| Atwood,    | A. L. Green, | Sessions,      |
| Baker,     | N. K. Green, | Shank,         |
| Beamer,    | Henderson,   | Shanahan,      |
| Blakeslee, | Hill,        | Smith,         |
| Brownell,  | Hodges,      | W. N. Stevens, |
| Bunce,     | Howell,      | A. Stevens,    |
| Chase,     | Hurd,        | Stewart,       |
| Childs,    | Joy,         | Stoddard,      |
| Choate,    | Kanouse,     | Strong,        |
| Chapoton,  | Kelsey,      | Taylor,        |
| Cook,      | Leetch,      | Tibbits,       |
| Cooley,    | Lockwood,    | Toll,          |

Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Fowle,  
Gilbert,  
Goodrich,

Miller,  
Morrison,  
Moore,  
Peterson,  
Phelps,  
Pratt,  
Pringle,  
Ramsdell,  
Rankin,

Wallin,  
Warner,  
Waterbury,  
Wetherby,  
T. M. Wilson,  
Woodman,  
Woodward,  
Wright,  
Speaker,

67

## NAYS.

Mr. Alexander,  
Cox,  
Hadley,

Mr. Haire,  
Piper,  
Wade,

Mr. Wheeler,  
J. B. Wilson,

8

Title agreed to.

On motion of Mr. Pringle,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Childs,

The House took a recess until 7½ o'clock this evening.

## EVENING SESSION.

7½ o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called : quorum present.

By unanimous consent the committee on State affairs submitted the following report :

The committee on State affairs to whom was recommitted

A bill to apportion anew the Representatives among the several counties and districts of this State,

With certain instructions, herewith report the bill back, amended as instructed, and ask to be discharged.

A. H. MORRISON, *Chairman*.

Report accepted and committee discharged.

Mr. Alexander moved that the bill be ordered to a third reading;

Mr. Gilbert moved to postpone the further consideration of the bill until to-morrow morning at 11 o'clock;

Mr. Alexander demanded the yeas and nays;

The demand was seconded, and the motion prevailed, by yeas and nays, as follows :

## YEAS,

|              |           |                |
|--------------|-----------|----------------|
| Mr. Bunce,   | Mr. Hurd, | Mr. Shanahan,  |
| Childs,      | Joy,      | Smith,         |
| Cook,        | Kanouse,  | W. N. Stevens, |
| Cox,         | Lockwood, | A. Stevens,    |
| Crego,       | Miller,   | Stewart,       |
| Cutcheon,    | Moore,    | Wade,          |
| Douglas,     | Persons,  | Wallin,        |
| Fowle,       | Phelps,   | Waterbury,     |
| Gilbert,     | Pratt,    | Wheeler,       |
| Goodrich,    | Pringle,  | Winans,        |
| Gregory,     | Ramsdell, | Woodman,       |
| A. L. Green, | Sessions, | Wright,        |
| Henderson,   |           |                |

37

## NAYS.

|              |              |               |
|--------------|--------------|---------------|
| Mr. Adams,   | Mr. Fallass, | Mr. Stoddard, |
| Alexander,   | N. K. Green, | Strong,       |
| Beamer,      | Hadley,      | Taylor,       |
| Blakeslee,   | Haire,       | Tibbits,      |
| Brownell,    | Hill,        | Toll,         |
| Chase,       | Hodges,      | Warner,       |
| Choate,      | Kelsey,      | Wetherby,     |
| Chapoton,    | Leetch,      | T. M. Wilson, |
| Cooley,      | Morrison,    | J. B. Wilson, |
| A. W. Davis, | Piper,       | Woodward,     |
| C. Davis,    | Rankin,      | Speaker,      |
| Ira Davis,   | Read,        |               |

35

## GENERAL ORDER.

On motion of Mr. Sessions,

The House went into committee of the whole on the general order,

Mr. Pringle in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills :

1. House bill No. 98, entitled

A bill to amend chapter 79, of the revised statutes of 1846,

and 19 others, citizens of Farmington, Oakland county, asking for the repeal of the salt bounty law ;

Also, petition of M. A. White, Eber Duncan and 14 others, for the same purpose ;

Referred to the special committee on salt interest.

By Mr. Crego : petition of Wm. G. Brown and 9 others, citizens of Jackson county, praying for the repeal of the salt bounty law ;

Referred to the special committee on salt interest.

#### REPORTS OF STANDING COMMITTEES.

By the committee on ways and means:

The committee on ways and means, to whom was referred the joint resolution, entitled

Joint resolution appointing Francis A. Artault emigrant agent in Paris,

Have considered the same, and as it involves no expenditure of money by the State, and may be of service to the companies interested in mining in the Upper Peninsula, at whose expense he is kept in Paris, they recommend that the joint resolution do pass, and ask to be discharged from the further consideration of the same.

J. F. JOY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Sessions,

The joint resolution was placed on the order of third reading.

By the committee on ways and means:

The committee on ways and means have had under consideration the petition of John Ackley and others, for the exemption of personal property from taxation to the extent of any debts which the owner may owe, and report that it is inexpedient that the prayer of the petitioners should be granted.

JAMES F. JOY, *Chairman.*

Report accepted, and committee discharged.

By the committee on ways and means :

The committee on ways and means, to whom was referred



A bill to provide for the equal valuation and assessment of property in the village of Hudson,

Have considered the same, and have instructed me to say that, in their judgment, the bill aims at the reverse of what the title seems to indicate, and aims rather at a discrimination in the assessment, and seeks to assess certain property in that village not according to its true value, as compared with other property in the village, but according to its value for certain purposes mentioned in the bill, which may be no criterion of its real value. The committee think that all property should be assessed at its real value, without reference to its present use, and its proximity to a town, city or village, is a very material element in estimating its value, and according to its value it should contribute its share towards the expenses and the burdens of the paternal organization of which it composes a part, and the advantages of which it enjoys.

This does not seem to be the aim and object of this bill, and as its object is not consistent with the provisions of the constitution which prescribes equality in taxation, they recommend that it do not pass.

JAMES F. JOY, *Chairman.*

Report accepted and committee discharged.

Mr. Sessions moved to lay the bill on the table;

Which motion did not prevail.

On motion of Mr. T. M. Wilson,

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled an act to incorporate the city of Lansing, approved February 15, 1859,

Respectfully report the same back to the House, with the accompanying amendments, as a substitute for the amendments previously reported by the committee, recommend that the same

as amended do pass, and ask to be discharged from the further consideration thereof.

EUGENE PRINGLE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. A. L. Green,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations :

The committee on banks and incorporations, to whom was referred

A bill to authorize the Marshall and Ionia Plank Road Company to discontinue a portion of their road, and for other purposes,

Respectfully report the same back to the House with an amendment herewith proposed, recommend that when so amended the same do pass, and ask to be discharged from the further consideration thereof.

EUGENE PRINGLE, *Chairman.*

Report accepted, and committee discharged.

On motion of Mr. A. L. Green,

The House concurred in the amendment made by the committee.

On motion of Mr. Pringle,

The bill was placed on the order of third reading.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend chapter 141, compiled laws, relative to proceedings against garnishees.

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was laid on the table,

By the judiciary committee:

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend section 18 of chapter 175 of the compiled laws, in relation to fees of jurors,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Childs,

The bill was laid on the table.

By the judiciary committee:

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend sections 11 and 127, of the compiled laws, relative to security of costs in justices courts,

Respectfully report that they have had the same under consideration, and report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

By the committee on education:

The committee on education, to whom was referred

A bill to provide for the support and maintenance of the Houghton mining school of the Upper Peninsula,

Have had the same under consideration, and report it back with one amendment, and recommend that when the bill is so

amended that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. HILL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Waterbury,

The House concurred in the amendment made by the committee.

On motion of Mr. Hill,

The bill was placed on the order of third reading.

By the committee on education :

The committee on education, to whom was referred

A bill to amend an act entitled an act for the benefit of fractional school district No. 1 of Vassar, and No. 2 of Tuscola, approved February 3, 1859,

Have had the same under consideration, and report the same back, and as a bill for the same purpose has passed the Senate and this House, recommend that the bill do not pass, and ask to be discharged from the further consideration of the same.

B. L. HILL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Howell,

The bill was laid on the table.

By the committee on supplies and expenditures :

The committee on supplies, to whom was referred the resolution of the Hon. Mr. Lockwood, in reference to ventilation, wind, and gas, &c., beg leave respectfully to report that they have had the matter under consideration, and on inquiry of competent mechanics, ascertained that to open the chimneys would destroy the draft from the furnaces, and that by putting up conductors alongside the chimneys, with registers from this Hall, would in part, if not entirely, relieve the room. That similar conductors had been put up in the State offices with good effect. They, therefore, under the resolution, ordered the conductors put up, and are now in use, the cost of which was twenty-nine dollars and twenty-nine cents. They therefore ask

to be discharged from the further consideration of the subject.  
All of which is respectfully submitted.

WM. PHELPS, *Chairman.*

Report accepted and committee discharged.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, March 1, 1861.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following  
entitled bill:

A bill to extend the time for the collection of taxes in the  
township of Lyons, in the county of Ionia, for the year 1860,  
and to authorize the collection of the same;

In the passage of which the Senate has concurred by a ma-  
jority vote of all the Senators elect, and has ordered the same  
to take immediate effect by a vote of two-thirds of all the Sen-  
ators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and  
enrollment for enrollment.

Also the following:

SENATE CHAMBER,  
*Lansing, March 1, 1861.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following:

Joint resolution authorizing a settlement with Warren Thomp-  
son, Sidney Green, John Stuart, Richard Peters, Charles Dean,  
T. G. Barker,

Which has passed the Senate by a majority vote of all the  
Senators elect, and by a vote of two-thirds of all the Senators

elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The joint resolution was read a first and second time, by its title, and referred to the committee on ways and means.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Joy offered the following :

*Resolved*, That it is not only competent, but the duty of the Legislature, in forming the representative districts under the new apportionment, to put two or more organized counties into one district when it becomes necessary to do so in order to obtain a district with population equal, or as near as may be, to the ratio adopted.

Mr. Joy moved that the resolution be made the special order for this evening at 7½ o'clock, and that the special order of to-day be postponed until that time;

Mr. Howell moved to amend the motion by striking out "this evening, at 7½ o'clock," and insert in place thereof, "this afternoon, at 2 o'clock ;"

Which was adopted.

The motion then prevailed.

Mr. Ramsdell moved to take from the table House bill, entitled

A bill to repeal an act entitled an act to furnish the Michigan Journal of Education to school districts, approved February 14, 1857 ;

Which motion prevailed.

On motion of Mr. Cutcheon,

The bill was referred to the committee of the whole and placed on the general order.

Mr. Tibbitts moved that the committee of the whole be discharged from the further consideration of House bill No. 146, entitled

A bill to amend chapter 150, of the revised statutes of 1846, it being chapter 175 of compiled laws;

Which motion prevailed.

On motion of Mr. Tibbits,

The bill was then ordered to a third reading.

Mr. Adams moved to take from the table the following concurrent resolution:

*Resolved*, (The Senate concurring), That the Secretary of State be and is hereby authorized and directed to forward one copy of the session laws, and one copy of the Senate and House journals and joint documents of this session of the Legislature, to the county clerk of each organized county in this State, so soon as the same are printed, bound, and ready for delivery, to be retained in said offices as documents for public reference.

Which motion prevailed.

The resolution was then adopted.

Mr. Phelps offered the following :

*Resolved*, That the committee on printing be requested to report without delay what progress has been made in printing the copies of the Governors' messages in the French and Holland languages ordered in this House, and that if they are not printed and cannot be furnished during the next week they be instructed to order them not printed.

Which was adopted.

Mr. Tibbits moved that the rule be suspended requiring the third reading of bills to be on a subsequent day to that on which they have been reported by a committee, so that the bills reported to-day may come up for action on the order of third reading.

Which motion prevailed.

#### THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 57, entitled

A bill to amend an act entitled an act to organize the Michigan asylum for the insane, and more effectually to provide for the care, maintenance and recovery of the insane,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|              |              |                |
|--------------|--------------|----------------|
| Mr. Adams,   | Mr. Gregory, | Mr. Read,      |
| Atwood,      | A. L. Green, | Sessions,      |
| Beamer,      | N. K. Green, | Shank,         |
| Blakeslee,   | Hadley,      | Shanahan,      |
| Brownell,    | Haire,       | Smith,         |
| Bunce,       | Henderson,   | W. N. Stevens. |
| Chase,       | Hemingway,   | A. Stevens,    |
| Childs,      | Hill,        | Stewart,       |
| Choate,      | Howell,      | Stoddard,      |
| Chapoton,    | Hurd,        | Strong,        |
| Cooley,      | Joy,         | Taylor,        |
| Cook,        | Kanouse,     | Tibbits,       |
| Cox,         | Leetch,      | Toll,          |
| Crego,       | Lockwood,    | Wade,          |
| Cutcheon,    | Miller,      | Wallin,        |
| A. W. Davis, | Morrison,    | Waterbury,     |
| C. Davis,    | Moore,       | Wetherby,      |
| Ira Davis,   | Persons,     | Wheeler,       |
| Douglas,     | Peters,      | T. M. Wilson,  |
| Fallase,     | Peterson,    | J. B. Wilson,  |
| Follett,     | Phelps,      | Winans,        |
| Foote,       | Piper,       | Woodman,       |
| Fowle,       | Pratt,       | Wright,        |
| Gilbert,     | Pringle,     | Speaker,       |
| Goodrich,    | Ramsdell,    |                |

## NAYS.

74

0

Title agreed to.

On motion of Mr. Childs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill, entitled

A bill to amend section 1 of an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, being act 117 of the session laws of 1859,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|            |                  |           |
|------------|------------------|-----------|
| Mr. Adams, | Mr. A. L. Green, | Mr. Read, |
| Beamer,    | N. K. Green,     | Sessions, |
| Blakeslee, | Hadley,          | Shank,    |



Brownell  
Bunce,  
Chase,  
Childs,  
Chapoton,  
Cook,  
Cooley,  
Cox,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,

Haire,  
Henderson,  
Hemingway,  
Hill,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Leetch,  
Lockwood,  
Morrison,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,

Shanahan, [ ]  
A. Stevens, [ ]  
Stewart,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Woodman,  
Speaker,  
Ramsdall,

64

## NAYS.

Mr. Atwood,  
Choate,

Mr. A. W. Davis,

Mr. Winans,

Title agreed to.

On motion of Mr. Gregory,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill, entitled

A bill to provide for selecting and locating the unselected deficiency existing in the quantity of lands due to the State of Michigan, under the act of Congress, approved May 20, 1826, and for any other land grant made by act of Congress to this State,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Adams,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,

Mr. A. L. Green,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hill,

Mr. Sessions,  
Shank,  
Shanahan,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,

|              |           |               |
|--------------|-----------|---------------|
| Choate,      | Howell,   | Strong,       |
| Chapoton,    | Hurd,     | Taylor,       |
| Cook,        | Joy,      | Tibbits,      |
| Cooley,      | Kanouse,  | Toll,         |
| Cox,         | Leetch,   | Wade,         |
| Crego,       | Lockwood, | Wallin,       |
| Cutcheon,    | Moore,    | Warner,       |
| A. W. Davis, | Persons,  | Waterbury,    |
| Ira Davis,   | Peters,   | Wetherby,     |
| Douglas,     | Peterson, | Wheeler,      |
| Follett,     | Phelps,   | J. B. Wilson, |
| Foote,       | Piper,    | Winans,       |
| Fowle,       | Pratt,    | Woodman,      |
| Gilbert,     | Pringle,  | Wright,       |
| Goodrich,    | Ramsdell, | Speaker,      |
| Gregory,     | Read,     |               |

68

NAYS.

0

Title agreed to.

On motion of Mr. Kanouse,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to amend section 9 of an act to define the powers and duties of the boards of supervisors of the several counties, and to confer on them certain local, administrative and legislative powers, approved April 8, 1851, the same being section 343 of the compiled laws,

Being under consideration,

Mr. T. M. Wilson demanded the previous question upon the passage of the bill.

The demand was seconded, and the main question ordered.

The bill was then read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

|                  |             |                 |
|------------------|-------------|-----------------|
| Mr. A. W. Davis, | Mr. Howell, | Mr. A. Stevens, |
| C. Davis,        | Leetch,     | Wallin,         |
| Douglas,         | Pratt,      | T. M. Wilson,   |
| Follett,         | Smith,      | Wright,         |

12

## NAYS.

|            |                  |                |
|------------|------------------|----------------|
| Mr. Adams, | Mr. A. L. Green, | Mr. Sessions,  |
| Alexander, | N. K. Green,     | Shank,         |
| Atwood,    | Hadley,          | Shanahan,      |
| Beamer,    | Haire,           | W. N. Stevens, |
| Blakeslee, | Henderson,       | Stewart,       |
| Bunce,     | Hemingway,       | Stoddard,      |
| Chase,     | Hodges,          | Strong,        |
| Childs,    | Hurd,            | Taylor,        |
| Choate,    | Joy,             | Tibbits,       |
| Cook,      | Kanouse,         | Toll,          |
| Cooley,    | Lockwood,        | Wade,          |
| Crego,     | Miller,          | Warner,        |
| Ira Davis, | Moore,           | Wetherby,      |
| Fallass,   | Persons,         | Wheeler,       |
| Foote,     | Peters,          | J. B. Wilson,  |
| Fowle,     | Peterson,        | Winans,        |
| Gilbert,   | Phelps,          | Woodman,       |
| Goodrich,  | Piper,           | Speaker,       |
| Gregory,   | Pringle,         |                |

56

House bill No 106, entitled

A bill to amend section 188, of chapter 117, of the compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |              |                |
|----------------|--------------|----------------|
| Mr. Alexander, | Mr. Gregory, | Mr. Ramsdell,  |
| Atwood,        | A. L. Green, | Read,          |
| Beamer,        | N. K. Green, | Sessions,      |
| Blakeslee,     | Hadley,      | Shank,         |
| Brownell,      | Haire,       | Smith,         |
| Bunce,         | Henderson,   | W. N. Stevens, |
| Childs,        | Hemingway,   | A. Stevens,    |
| Choate,        | Hill,        | Stewart,       |
| Chapeton,      | Hodges,      | Stoddard,      |
| Cook,          | Howell,      | Strong,        |
| Cooley,        | Joy,         | Taylor,        |
| Crego,         | Kanouse,     | Tibbits,       |
| Ira Davis,     | Lockwood,    | Wade,          |
| Douglas,       | Moore,       | Wetherby,      |
| Fallass,       | Persons,     | Wheeler,       |
| Follett,       | Peters,      | T. M. Wilson,  |
| Foote,         | Peterson,    | Winans,        |
| Fowle,         | Phelps,      | Woodman,       |

Gilbert,  
Goodrich,

Piper,  
Pratt,

Wright,  
Speaker, 60

NAYS.

Mr. Adams,  
Chase,  
Cox,

Mr. A. W. Davis,  
C. Davis,  
Leetch,

Mr. Miller,  
Pringle,  
Warner, 9

Title agreed to.

House bill No. No. 98, entitled

A bill to amend chapter 79 of the revised statutes of 1846, (compiled laws chapter 103,) by adding three new sections, to be numbered sections 54, 55 and 56, in relation to redemptions against sales on executions,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,  
Alexander,  
Atwood,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cook,  
Cooley,  
Cox,  
Grego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,

Mr. Gilbert,  
Goodrich,  
Gregory,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Leetch,  
Lookwood,  
Miller,  
Moore,  
Persons,  
Peterson,  
Phelps,  
Piper,  
Pratt,

Mr. Pringle,  
Read,  
Sessions,  
Shank,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
Winans,  
Woodman,  
Wright,  
Speaker, 69

NAYS.

Mr. J. B. Wilson,

Title agreed to.

House bill No. 108, entitled

A bill to organize the county of Bleecker,

Being under consideration,

On motion of Mr. Warner,

The bill was committed to the committee on the judiciary.

Senate bill, entitled

A bill to amend an act for the benefit of fractional school district No. 1, of Vassar, and No. 2, of Tuscola,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

|                |              |                |
|----------------|--------------|----------------|
| Mr. Alexander, | Mr. Gilbert, | Mr. Ramsdell,  |
| Atwood,        | Goodrich,    | Read,          |
| Beamer,        | A. L. Green, | Sessions,      |
| Blakeslee,     | N. K. Green, | Shank,         |
| Brownell,      | Hadley,      | Shanañan,      |
| Bunce,         | Henderson,   | Smith,         |
| Chase,         | Hemingway,   | W. N. Stevens, |
| Childs,        | Hill,        | A. Stevens,    |
| Choate,        | Hodges,      | Stewart,       |
| Chapoton,      | Howell,      | Stoddard,      |
| Cook,          | Hurd,        | Strong,        |
| Cooley,        | Joy,         | Taylor,        |
| Crego,         | Kaneuse,     | Tibbits,       |
| Cutcheon,      | Leetch,      | Toll,          |
| A. W. Davis,   | Lockwood,    | Wade,          |
| C. Davis,      | Morrison,    | Wallin,        |
| Ira Davis,     | Moore,       | Wetherby,      |
| Douglas,       | Peters,      | Wheeler,       |
| Fallass,       | Peterson,    | T. M. Wilson,  |
| Follett,       | Phelps,      | Woodman,       |
| Foote,         | Piper,       | Wright,        |
| Fowle,         | Pratt,       | Speaker, 66    |

#### NAYS.

|            |            |                   |
|------------|------------|-------------------|
| Mr. Adams, | Mr. Haire, | Mr. J. B. Wilson, |
| Cox,       | Miller,    | Winans,           |
| Gregory,   |            |                   |

Title agreed to.

Mr. Lockwood moved a call of the House,

Which motion prevailed.

Upon the call of the roll by the clerk, Messrs. Waterbury, Warren and Woodman were reported absent without leave.

On motion of Mr. Alexander,

All further proceedings under the call were dispensed with.  
House bill No. 100, entitled

A bill to relieve observers of the seventh day of the week from the necessity of defending suits in violation of their consciences,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |              |                |
|----------------|--------------|----------------|
| Mr. Alexander, | Mr. Gilbert, | Mr. Pratt,     |
| Atwood,        | Goodrich,    | Sessions,      |
| Beamer,        | Gregory,     | Shank,         |
| Blakeslee,     | A. L. Green, | Shanahan,      |
| Brownell,      | N. K. Green, | W. N. Stevens, |
| Bunce,         | Hadley,      | A. Stevens,    |
| Chase,         | Henderson,   | Stewart,       |
| Childs,        | Hill,        | Stoddard,      |
| Choate,        | Hodges,      | Strong,        |
| Chapoton,      | Howell,      | Taylor,        |
| Cook,          | Hurd,        | Tibbits,       |
| Cooley,        | Kanouse,     | Toll,          |
| Crego,         | Kelsey,      | Wade,          |
| Cutcheon,      | Lockwood,    | Wallin,        |
| A. W. Davis,   | Morrison,    | Wetherby,      |
| C. Davis,      | Moore,       | Wheeler,       |
| Ira Davis,     | Persons,     | T. M. Wilson,  |
| Fallass,       | Peters,      | Winans,        |
| Follett,       | Phelps,      | Woodman,       |
| Foote,         | Piper,       | Speaker,       |

60

## NAYS.

|            |               |                   |
|------------|---------------|-------------------|
| Mr. Fowle, | Mr. Peterson, | Mr. J. B. Wilson, |
| Leetch,    |               |                   |

4

Title agreed to.

Mr. Tayler moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

House bill No. 146, entitled

A bill to amend chapter 150, of the revised statutes of 1846, it being chapter 175 of compiled laws,

Being under consideration,

Mr. Tibbits asked and obtained unanimous consent to amend

the same by striking out the word "eight," in line 5, and inserting "five" in lieu thereof.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|                |                  |                |
|----------------|------------------|----------------|
| Mr. Alexander, | Mr. A. L. Green, | Mr. Pratt,     |
| Atwood,        | N. K. Green,     | Pringle,       |
| Beamer,        | Hadley,          | Ramsdell,      |
| Blakeslee,     | Haire,           | Read,          |
| Brownell,      | Henderson,       | Sessions,      |
| Bunce,         | Hemingway,       | Shanahan,      |
| Chase,         | Hill,            | Smith,         |
| Childs,        | Hodges,          | W. N. Stevens, |
| Chapoton,      | Howell,          | A. Stevens,    |
| Cook,          | Hurd,            | Taylor,        |
| Coeley,        | Joy,             | Tibbits,       |
| Crego,         | Kanouse,         | Toll,          |
| Cutcheon,      | Leetch,          | Wade,          |
| C. Davis,      | Lockwood,        | Wallin,        |
| Ira Davis,     | Merrison,        | Wetherby,      |
| Fallass,       | Moore,           | T. M. Wilson,  |
| Follett,       | Persons,         | J. B. Wilson,  |
| Foots,         | Peters,          | Woodman,       |
| Fowle,         | Peterson,        | Wright,        |
| Gilbert,       | Phelps,          | Speaker,       |
| Goodrich,      | Piper,           |                |

62

## NAYS.

|              |             |             |
|--------------|-------------|-------------|
| Mr. Douglas, | Mr. Strong, | Mr. Winans, |
| Stewart,     |             |             |

4

Title agreed to.

On motion of Mr. Tibbits,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to provide for the support and maintenance of the Houghton mining school in the Upper Peninsula,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Adams,  
Atwood,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cook,  
Cooley,  
Cox,  
Grego,  
Cutcheon,  
A. W. Davis,  
Ira Davis,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Goodrich,

Mr. Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hill,  
Hodgea,  
Howell,  
Hurd,  
Kanouse,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,

Mr. Ramsdell,  
Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
Stoddard,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wetherby,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Wright,  
Speaker,

59

## NAYS.

Mr. Wallin,

1

Senate bill No. 11, entitled

A bill to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security of costs in justices courts,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Adams,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Chapoton,  
Cook,  
Cooley,  
Cox,  
Grego,  
Cutcheon,  
A. W. Davis,  
C. Davis,

Mr. Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Henderson,  
Hill,  
Hodges,  
Howell,  
Hurd,  
Jey,  
Kanouse,  
Lockwood,  
Morrison,

Mr. Pratt,  
Pringle,  
Ramsdell,  
Read,  
Sessions,  
Shank,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,



Ira Davis,  
Douglas,  
Fallase,  
Fowle,  
Foote,  
Fowle,

Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,

Wade,  
Waterbury,  
Wetherby,  
J. B. Wilson,  
Wright,  
Speaker, 43

# NAYS.

Mr. Atwood,  
Cheate,

Mr. Haire,  
Shanahan,

Mr. Wallin,  
Winans, 6

Title agreed to.

# GENERAL ORDER.

On motion of Mr. Howell,

The House went into committee of the whole on the general order,

Mr. Childs in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled bill :

House bill No. 10, entitled

A bill to amend sections 1 of an act entitled an act to amend chapter 150 of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salary of judges of probate,

Have made no amendments thereto, and have directed their chairman to report the same back to the House and ask to be discharged.

JAMES WEBSTER CHILDS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Alexander,

The House adjourned until this afternoon at 2 o'clock.

# AFTERNOON SESSION.

2 o'clock P. M.

House met pursuant to adjournment, and was called to order by the Speaker.

Roll called : quorum present.

SPECIAL ORDER OF THE DAY.

Being the consideration of the following resolution :

*Resolved*, That it is not only competent, but the duty of the Legislature, in forming the Representative districts under the new apportionment, to put two or more organized counties into one district when it becomes necessary to do so in order to obtain a district with population equal, as near as may be, to the ratio adopted;

And also, the following entitled bill :

A bill to apportion anew the Representatives among the several counties and districts of the State.

The question being first upon the adoption of the resolution,

Mr. Pringle moved to add thereto the following :

"Except as such competency and duty may be varied by section 22 of the schedule appended to the constitution of the State."

Mr. C. Davis offered the following as a substitute for the amendment:

Add to the resolution the following:

*Provided*, That in such apportionment there shall be given to the counties of Saginaw, Tuscola, Sanilac and Montcalm one representative each, and to Midland and Arenac one, Newaygo and Oceana one, as provided in section 22 of the schedule to the Constitution of Michigan: *And provided*, That every county having a moiety of the ratio shall have a representative.

The question being upon the adoption of the substitute for the amendment,

Mr. Lockwood offered the following as an amendment to the original resolution: Insert after the word "counties" the words "neither of which have attained a moiety of the ratio of representation."

Which amendment was accepted.

Mr. Alexander moved a call of the House;

Which motion prevailed.

Upon the call of the roll by the clerk, the following members

were absent without leave—Messrs. Cox, Goodrich, A. L. Green, Haire, Hill and Shank.

On motion of Mr. Howell,

All further proceedings under the call were dispensed with.

The yeas and nays were ordered on the several motions pending.

Mr. Moore demanded the previous question.

The demand was seconded, and the substitute for the amendments was not adopted, by yeas and nays, as follows :

#### YEAS.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Brownell, | Mr. Hewell, | Mr. Stoddard, |
| Bunce,        | Leetch,     | Toll,         |
| Chase,        | Persons,    | Wallin,       |
| C. Davis,     | Peterson,   | Warner,       |
| Douglas,      | Ramsdell,   | Waterbury,    |
| Follett,      | A. Stevens, | Wright,       |
|               |             | 13            |

#### NAYS.

|              |              |                |
|--------------|--------------|----------------|
| Mr. Adams,   | Mr. Gregory, | Mr. Pringle,   |
| Alexander,   | N. K. Green, | Read,          |
| Atwood,      | Hadley,      | Sessions,      |
| Beamer,      | Haire,       | Shank,         |
| Blakeslee,   | Henderson,   | Shanahan,      |
| Childs,      | Hemingway,   | Smith,         |
| Choate,      | Hill,        | W. N. Stevens, |
| Chapoton,    | Hodges,      | Stewart,       |
| Cook,        | Hard,        | Strong,        |
| Cooley,      | Joy,         | Taylor,        |
| Cox,         | Kanouse,     | Tibbits,       |
| Crego,       | Lockwood,    | Wade,          |
| Cutcheon,    | Miller,      | Wetherby,      |
| A. W. Davis, | Morrison,    | Wheeler,       |
| Ira Davis,   | Moore,       | T. M. Wilson,  |
| Fallass,     | Peters,      | J. B. Wilson,  |
| Foote,       | Phelps,      | Winans,        |
| Fowle,       | Piper,       | Woodman,       |
| Gilbert,     | Pratt,       | Speaker,       |
|              |              | 57             |

The question recurring upon the amendment to the original resolution, it was not adopted, by yeas and nays, as follows:

#### YEAS.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Brownell, | Mr. Leetch, | Mr. Stoddard, |
| Bunce,        | Persons,    | Strong,       |

G. Davis,  
Douglas,  
Follett,  
Hemingway,  
Howell,

Peterson,  
Pringle,  
Ramsdell,  
W. N. Stevens,  
A. Stevens,

Toll,  
Wallin,  
Warner,  
Waterbury,  
Wright,

21

## NAYS.

Mr. Adams,  
Alexander,  
Atwood,  
Beamer,  
Blakeslee,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cook,  
Cooley,  
Cox,  
Crego,  
Cutcheon,  
A. W. Davis,  
Ira Davis,  
Fallass,  
Foots,

Mr. Fowle,  
Gilbert,  
Gregory,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hill,  
Hodges,  
Hurd,  
Joy,  
Kanouse,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Peters,  
Phelps,

Mr. Piper,  
Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
Stewart,  
Taylor,  
Tibbits,  
Wade,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Speaker,

22

Pending the announcement of the vote,

Mr. Morrison moved that Mr. Miller be excused from voting;  
Which motion did not prevail.

Mr. Miller then voted as recorded above.

The question recurring upon the adoption of the original resolution, it was adopted, by yeas and nays, as follows :

## YEAS.

Mr. Adams,  
Alexander,  
Beamer,  
Blakeslee,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cook,  
Cobley,  
Cox,  
Crego,

Mr. Gregory,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hill,  
Hodges,  
Hurd,  
Joy,  
Kanouse,  
Leetch,  
Lockwood,  
Miller,

Mr. Pratt,  
Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
Stewart,  
Strong,  
Taylor,  
Tibbits,  
Wade,  
Wallin,

Cutcheon,  
A. W. Davis,  
Ira Davis,  
Fallass,  
Foote,  
Fowle,  
Gilbert,

Morrison,  
Moore,  
Peters,  
Peterson,  
Phelps,  
Piper,

Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Speaker,

58

## NAYS.

Mr. Atwood,  
Brownell,  
C. Davis,  
Douglas,  
Follett,  
Hemingway,

Mr. Howell,  
Persons,  
Pringle,  
Ramsdell,  
A. Stevens,  
Stoddard,

Mr. Toll,  
Warner,  
Waterbury,  
Woodman,  
Wright,

17

Mr. Hewell moved that the House adjourn until Monday morning at 9 o'clock;

Which motion did not prevail.

Mr. T. M. Wilson moved to recommit the bill to the committee on State affairs with instructions to amend the same according to a representation upon the basis of 8350 population for one representative.

Mr. Alexander demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Adams,  
Alexander,  
Atwood,  
Beamer,  
Blakeslee,  
Brownell,  
Chase,  
Choate,  
Chapoton,  
Cook,  
Cooley,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,

Mr. Fallass,  
Foote,  
N. K. Green,  
Hadley,  
Haire,  
Hemingway,  
Hill,  
Hodges,  
Howell,  
Joy,  
Leetch,  
Lockwood,  
Morrison,  
Moore,  
Persons,

Mr. Peters,  
Peterson,  
Piper,  
Read,  
Shank,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Warner,  
Waterbury,  
T. M. Wilson,  
J. B. Wilson,  
Speaker,

45

## NAYS.

Mr. Bunce,  
Childs,

Mr. Hurd,  
Kancouse,

Mr. W. N. Stevens,  
A. Stevens,

Cox,  
Crego,  
Cutcheon,  
Fellett,  
Fowle,  
Gilbert,  
Gregory,  
Henderson,

Miller,  
Phelps,  
Pratt,  
Pringle,  
Ramsdell,  
Sessions,  
Shanahan,  
Smith,

Stewart,  
Wade,  
Wallin,  
Wetherby,  
Wheeler,  
Winans,  
Woodman,  
Wright,

20

Mr. Read moved that the House adjourn;  
Which motion did not prevail.

Mr. Pratt offered the following resolution:

*Resolved*, That the committee on State affairs be further instructed, where two or more counties, together, have a population equal to a moiety of the ratio, to give them one Representative;

Which motion prevailed.

On motion of Mr. Howell,

The House adjourned till Monday morning at 9 o'clock.

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*Lansing, Monday, March 4, 1861.*

House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Vibbert.

Roll called: quorum present.

#### PETITIONS PRESENTED.

By Mr. Stewart: petition of H. S. Tyler and B. N. Stowe, and 60 others, citizens of St. Joseph county, for the repeal of the salt bounty law.

Referred to the special committee on salt interest.

#### REPORTS OF STANDING COMMITTEES.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill, entitled

A bill to incorporate the village of Constantine;

Also, House bill, entitled

A bill to incorporate the village of Decatur;

Also, House bill, entitled

A bill to incorporate the village of Lowell;

And also, House bill, entitled

A bill to incorporate the village of Muskegon;

Respectfully report that they have had the same under consideration, that they have proposed certain amendments to each of the same, which are herewith submitted, and return the bills to the House, without any recommendation, except that the amendments be concurred in, and the committee be discharged.

EUGENE PRINGLE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Cutcheon,

The House concurred in the amendments made by the committee.

The several House bills were ordered engrossed for a third reading.

The Senate bill was placed on the order of third reading.

By the judiciary committee :

The committee on the judiciary, to whom was referred

1. House bill, entitled

A bill to organize the county of Bleecker;

2. Also, House bill, entitled

A bill to organize the county of Delta and define the boundaries of the same;

For the purpose of reporting their opinion of the constitutionality of the same, respectfully report that they have considered the said bills, and find that the bill first named contains the usual provisions for organizing a county from a portion of the present unorganized county of Delta, and also for organizing two townships within the same territory; your committee consider that the latter provisions are but incidental to and a necessary part of the process for organizing the county, on the supposition that there are no township organizations within the territory included in the new county, and that therefore the bill is not obnoxious to the provisions of the constitution of this State, in section 29, of article four—"That no law shall embrace

more than one object, which shall be expressed in its title," the main and real object of the bill, as expressed in the title, being to organize the county, to which the other provisions all subserve. The second named bill, however, in one of its features, your committee deem objectionable under the provisions just cited, in so far as it attempts to enlarge the boundaries of the county of Mackinaw, now an organized county, by attaching a part of the present county of Delta thereto, and may fairly be considered as another and a distinct object, not properly within the main purpose of the bill, and which might, to a certain extent, be productive of the evil this provision of the constitution was designed to prevent. Your committee, therefore, recommend that the bill be amended by striking out section nine thereof, which we are of opinion will bring the same within the true meaning and spirit of the constitution.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The first named bill was laid on the table, and leave granted the minority of the committee to report thereon.

On motion of Mr. Warner,

The second named bill was placed on the order of third reading.

By the committee on roads and bridges :

The committee on roads and bridges, to whom was recommit-  
ted

A bill to establish a State road from Fulkerson's, in Kent county, to White river, in the county of Oceana,

Respectfully report that they have had the same under consideration, and have amended the same by inserting a substitute for section three, and ask the concurrence of the House therein, recommend the passage of the same as amended, and ask to be discharged from the further consideration of the same.

N. K. GREEN, *Chairman.*

Report accepted and committee discharged.



On motion of Mr. Taylor,

The House concurred in the amendments made by the committee.

On motion of Mr. N. K. Green,

The bill was placed on the order of third reading.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred Senate bill No. 78, being

A bill to assess a special tax for improvement of the meridian line road between Lenawee and Hillsdale counties,

Have had the same under consideration, and to which they have proposed sundry amendments, in which the concurrence of the House is respectfully asked, and when so amended, recommend it do pass, and ask to be discharged from the further consideration of the subject.

N. K. GREEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Childs,

The House concurred in the amendments made by the committee.

On motion of Mr. N. K. Green,

The bill was placed on the order of third reading.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures, to whom was referred

A bill to reorganize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture, which shall have control of said college and lands belonging thereto, and be connected with the agricultural interests of the State,

Would respectfully report that they have had the same under consideration, and after due deliberation have made certain amendments thereto, and have instructed their chairman to report the same back and ask the concurrence of the House in the amendments, and recommend that when so amended it do pass, and ask to be discharged from the further consideration of the same.

JAMES WEBSTER CHILDS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Sessions,

The House concurred in the amendments made by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures, to whom was referred

A bill to prevent the adulteration of coal oils,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES WEBSTER CHILDS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Childs,

The bill was placed on the order of third reading.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, March 4, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bills:

Senate bill No. 100, being

1. A bill to amend sections 2014 and 2017 of the compiled laws, in reference to religious societies so as to authorize the recording of articles of association, and to give the trustees, wardens and vestrymen authority to execute securities upon church property in certain cases ;

Senate bill No. 104, being

2. A bill to amend section 5860 of the compiled laws, in reference to the crime of polygamy ;

Senate bill No. 108, being

3. A bill to amend section 59, chapter 6, of the compiled laws, concerning the canvassing of votes at elections;

Senate bill No. 70, being

4. A bill to make appropriations for removing east wall, and building work shops at the State prison;

Senate bill No. 37, being

5. A bill making an appropriation for the support of the Michigan Asylum for the deaf, dumb and blind, at Flint, and for completing certain portions thereof;

Senate bill No. 81, being

6. A bill to amend section 8, of chapter 65, of the revised statutes of 1846, regulating the execution of deeds and other instruments affecting real estate;

Senate bill No. 124, being

7. A bill to preserve the purity of elections;

Senate bill, entitled

8. A bill to change the name of Sarah B. Blanchard to Sarah B. Markham, and of Charles Blanchard to Charles Markham;

Which have passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and referred to the committee on judiciary.

The third named bill was read a first and second time by its title, and referred to the committee on judiciary.

The fourth named bill was read a first and second time by its title, and referred to the committee on State prison.

The fifth named bill was read a first and second time by its title, and referred to the committee on ways and means.

The sixth, seventh and eighth named bills were read a first

and second time by their titles, and referred to the committee on judiciary.

Also the following :

SENATE CHAMBER,  
Lansing, March 4, 1861. }

*To the Speaker of the House of Representatives:*

SIR :—I am instructed to return to the House the following entitled bill:

House bill No. 125, entitled

A bill to organize the township of Bath, in the county of Muskegon ;

Which the Senate has amended by striking out the name "Bath," and inserting "Cedar Creek," both in the body and title of the bill ;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The House concurred in the amendment made to the bill by the Senate, by the following vote :

YEAS.

|              |              |                |
|--------------|--------------|----------------|
| Mr. Adams,   | Mr. Gregory, | Mr. Shank,     |
| Alexander,   | N. K. Green, | Shanahan,      |
| Beamer,      | Hadley,      | Smith,         |
| Blakeslee,   | Henderson,   | W. N. Stevens, |
| Brownell,    | Hill,        | A. Stevens,    |
| Bunce,       | Hodges,      | Stewart,       |
| Chase,       | Howell,      | Stoddard,      |
| Childs,      | Hurd,        | Strong,        |
| Choate,      | Joy,         | Taylor,        |
| Chapoton,    | Kanouse,     | Tibbits,       |
| Cook,        | Leetch,      | Wade,          |
| Cooley,      | Lockwood,    | Wallin,        |
| Cox,         | Morrison,    | Warner,        |
| Crego,       | Moore,       | Waterbury,     |
| Outchison,   | Peters,      | Wetherby,      |
| A. W. Davis, | Peterson,    | Wheeler,       |

C. Davis,  
 Ira Davis,  
 Fallass,  
 Follett,  
 Foote,  
 Fowle,  
 Gilbert,  
 Goodrich,

Phelps,  
 Piper,  
 Pratt,  
 Pringle,  
 Ramsdell,  
 Read,  
 Sessions,

T. M. Wilson,  
 J. B. Wilson,  
 Winans,  
 Woodman,  
 Woodward,  
 Wright,  
 Speaker,

66

## NAYS.

Mr. Atwood,

1

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

Also the following :

SENATE CHAMBER,  
 Lansing, March 4, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bills:

1. A bill to legalize a mortgage executed by the trustees of the first congregational society of Newark;

2. A bill to amend an act to incorporate the village of Hastings, approved February 13, 1855, being act No. 74 of the session laws of 1859, approved February 7, 1859;

3. A bill to authorize the trustees of the second society of the Methodist Episcopal Church of Detroit to mortgage real estate;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
*Lansing, March 4, 1861.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to re-transmit the following entitled joint resolution:

Joint resolution appropriating the tolls of the St. Mary's Canal to the payment of the amount due counties for taxes assessed on canal lands;

And to inform the House that the Senate has not concurred in the House amendment inserting the words "without deduction for any cause whatever," after the word "paid" in the 14th line.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Howell moved that the House insist upon its amendment to the joint resolution;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

|            |               |                |
|------------|---------------|----------------|
| Mr. Adams, | Mr. Goodrich, | Mr. Pringle,   |
| Alexander, | Gregory,      | Ramsdell,      |
| Atwood,    | Hadley,       | Read,          |
| Beamer,    | Henderson,    | Shank,         |
| Blakeslee, | Hemingway,    | Shanahan,      |
| Brownell,  | Hill,         | Smith,         |
| Bunce,     | Hodges,       | W. N. Stevens, |
| Chase,     | Howell,       | A. Stevens,    |
| Childs,    | Hurd,         | Stoddard,      |
| Choate,    | Joy,          | Strong,        |
| Chapoton,  | Kanouse,      | Tibbits,       |
| Cook,      | Leetch,       | Toll,          |
| Cooley,    | Lockwood,     | Wade,          |
| Cox,       | Miller,       | Wallin,        |
| Orego,     | Morrison,     | Warner,        |
| Cuteheon,  | Moore,        | Wetherby,      |
| C. Davis,  | Persons,      | T. M. Wilson,  |
| Ira Davis, | Peters,       | J. B. Wilson,  |
| Douglas,   | Peterson,     | Winans,        |
| Follett,   | Phelps,       | Woodman,       |
| Foote,     | Piper,        | Wright,        |
| Fowle,     | Pratt,        | Speaker,       |
| Gilbert,   |               |                |

## NAYS.

Mr. A. W. Davis,  
Fallass,  
Haire,

Mr. Sessions,  
Stewart,

Mr. Taylor,  
Wheeler,

7

Also the following:

SENATE CHAMBER,  
Lansing, March 4, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bill:

A bill in relation to the collection of recognizances in criminal cases,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following:

SENATE CHAMBER,  
Lansing, March 4, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bill:

A bill to amend an act entitled an act to provide for the settlement and drainage of swamp lands by actual settlers, being act No. 229 of the session laws of 1859,

Which the Senate has amended as follows:

Strike out the word "that" where it occurs after the words "occupancy as above provided," in section 2 of the bill, and insert the words "or if evidence of two witnesses under oath is furnished to the Commissioner of the State Land Office, that the clause above mentioned to prevent waste of said land has been violated, then,"

Also, amend section 3 by inserting after the word "him," in the 4th line, the words, "or his legal representatives;"

In the passage of which, as thus amended, the Senate has concurred by a majority of all the members elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The House concurred in the amendments made to the bill by the Senate, by the following vote:

YEAS.

|              |               |                |
|--------------|---------------|----------------|
| Mr. Adams,   | Mr. Goodrich, | Mr. Read,      |
| Alexander,   | Gregory,      | Sessions,      |
| Atwood,      | N. K. Green,  | Shank,         |
| Beamer,      | Hadley,       | Shanahan,      |
| Blakeslee,   | Haire,        | Smith,         |
| Brownell,    | Henderson,    | W. N. Stevens, |
| Bunce,       | Hemingway,    | A. Stevens,    |
| Chase,       | Hill,         | Stewart,       |
| Childs,      | Hodges,       | Stoddard,      |
| Choate,      | Howell,       | Strong,        |
| Chapoton,    | Hurd,         | Taylor,        |
| Cook,        | Joy,          | Tibbits,       |
| Cooley,      | Kanouse,      | Toll,          |
| Cox,         | Leetch,       | Wade,          |
| Crego,       | Lockwood,     | Wallin,        |
| Cutcheon,    | Morrison,     | Warner,        |
| A. W. Davis, | Moore,        | Wetherby,      |
| C. Davis,    | Persons,      | Wheeler,       |
| Ira Davis,   | Peters,       | T. M. Wilson,  |
| Douglas,     | Peterson,     | J. B. Wilson,  |
| Fallass,     | Phelps,       | Winans,        |
| Follett,     | Piper,        | Woodman,       |
| Foots,       | Pratt,        | Wright,        |
| Fowle,       | Pringle,      | Speaker,       |
| Gilbert,     | Ramsdell,     |                |

74

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, March 4, 1861. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed to return to the House the following entitled bill :



A bill to provide for the incorporation of associations for the publication of books, tracts, documents, and other matters of a religious, historical, literary or educational character,

For which the Senate has adopted the accompanying substitute, entitled

A bill to provide for the incorporation of associations for the publication of periodicals, newspapers, books, tracts, documents, and other publications,

By a majority vote of all the Senators elect, in which substitute the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER

*Secretary of the Senate.*

The House concurred in the adoption of the substitute of the Senate for the House bill, by the following vote:

#### YEAS.

|                |              |               |
|----------------|--------------|---------------|
| Mr. Alexander, | Mr. Foote,   | Mr. Piper,    |
| Atwood,        | Fowle,       | Ramsdell,     |
| Beamer,        | Gilbert,     | Sessions,     |
| Blakeslee,     | N. K. Green, | Shank,        |
| Brownell,      | Haire,       | Shanahan,     |
| Bunce,         | Henderson,   | Smith,        |
| Chase,         | Hemingway,   | W. N. Stevens |
| Childs,        | Hill,        | A. Stevens,   |
| Choate,        | Hodges,      | Stewart,      |
| Chapoton,      | Hurd,        | Taylor,       |
| Cook,          | Joy,         | Tibbits,      |
| Cooley,        | Kanouse,     | Wade,         |
| Cox,           | Leetch,      | Wallin,       |
| Crego,         | Lockwood,    | Waterbury,    |
| Cutcheon,      | Miller,      | Wetherby,     |
| A. W. Davis,   | Morrison,    | T. M. Wilson, |
| O. Davis,      | Moore,       | J. B. Wilson, |
| Ira Davis,     | Persons,     | Winans,       |
| Douglas,       | Peters       | Woodman,      |
| Fallass,       | Peterson,    | Wright,       |
| Follett,       | Phelps,      | Speaker, 63   |

#### NAYS.

Mr. Pringle,

1

The bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following:

SENATE CHAMBER,  
Lansing, March 4, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled joint resolution:

Joint resolution to authorize the Board of State Auditors to audit and allow the claim of William Beard, in the matter of the improvement of navigation over the sand flats of the Muskegon river, and to authorize the Commissioner of the State Land Office to issue patents of State swamp land therefor,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

Mr. Howell moved that the joint resolution be referred to the committee on public lands.

Mr. Ramsdell moved to refer the joint resolution to the committee on ways and means.

The motion to refer to the committee on ways and means prevailed, and the joint resolution was so referred.

Also, the following :

SENATE CHAMBER,  
Lansing, March 4, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bill :

A bill to authorize any township in Allegan county to levy a specific tax for the improvement of the Kalamazoo river and harbor,

Which the Senate has amended by striking out of the 3d line of the 2d section the words "have power to draw," and inserting "receive orders drawn," in lieu thereof; also, by adding two new sections, to stand as sections 7 and 8, as follows:

Sec. 7. The township board shall, at any time after such tax shall be authorized, upon the order of said commissioners, issue orders on the township treasurer for the amount voted to be raised, said orders to be drawn in such denominations as said commissioners shall direct and shall specify definitely the tax upon which they are drawn.

Sec. 8. The township clerk of any township voting tax as above authorized shall, within ten days after the meeting at which said tax shall be authorized, notify William B. Williams, one of said commissioners, of the raising of said tax, and the amount of the same,

In the passage of which, as thus amended, the Senate has concurred by a majority of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The House concurred in the amendments made to the bill by the Senate, by yeas and nays, as follows:

YEAS.

|              |              |                |
|--------------|--------------|----------------|
| Mr. Adams,   | Mr. Gilbert, | Mr. Read,      |
| Alexander,   | Goodrich,    | Sessions,      |
| Atwood,      | Gregory,     | Shank,         |
| Beamer,      | N. K. Green, | Shanahan,      |
| Blakeslee,   | Hadley,      | Smith,         |
| Brownell,    | Haire,       | W. N. Stevens, |
| Bunce,       | Henderson,   | A. Stevens,    |
| Chase,       | Hodges,      | Stewart,       |
| Childs,      | Howell,      | Strong,        |
| Choate,      | Hurd,        | Taylor,        |
| Cook,        | Joy,         | Tibbits,       |
| Cox,         | Leetch,      | Wade,          |
| Crego,       | Lockwood,    | Wallin,        |
| Cutcheon,    | Morrison,    | Waterbury,     |
| A. W. Davis, | Moore,       | Wetherby,      |
| C. Davis,    | Persons,     | Wheeler,       |
| Ira Davis,   | Peters,      | T. M. Wilson,  |
| Douglas,     | Peterson,    | Winans,        |
| Fallass,     | Phelps,      | Woodward,      |

Follett,  
Foote,  
Fowle,

Piper,  
Ramsdell,

Wright,  
Speaker,

64

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

Also the following:

SENATE CHAMBER,  
Lansing, March 4, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bill:

A bill authorizing the trustees of the Methodist Episcopal Church of Muskegon, in the county of Muskegon, to mortgage their church edifice and lands.

Which the Senate has amended by adding the following to the last section:

"*Provided*, That whenever any existing mortgage shall be canceled by the execution of a new one, such new mortgage shall not be made payable and become due at an earlier day than the mortgage so canceled;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The House concurred in the amendment made to the bill by the Senate, by yeas and nays as follows:

YEAS.

Mr. Adams,  
Alexander,  
Atwood,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,

Mr. Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
N. K. Green,  
Hadley,

Mr. Phelps,  
Piper,  
Pringle,  
Sessions,  
Shank,  
Shanahan,  
Smith,

|              |            |                |
|--------------|------------|----------------|
| Chase,       | Haire,     | W. N. Stevens, |
| Childs,      | Henderson, | A. Stevens,    |
| Choate,      | Hill,      | Stewart,       |
| Chapoton,    | Hodges,    | Stoddard,      |
| Cook,        | Howell,    | Strong,        |
| Cooley,      | Hurd,      | Taylor,        |
| Orego,       | Joy,       | Wallin,        |
| Cutcheon,    | Leetch,    | Waterbury,     |
| A. W. Davis, | Lockwood,  | Wetherby,      |
| C. Davis,    | Moore,     | Winans,        |
| Ira Davis,   | Persons,   | Woodman,       |
| Douglas,     | Peters,    | Wright,        |
| Fallass,     | Peterson,  | Speaker, 60    |
|              | NAYS.      | 0              |

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER, }  
Lansing, March 2, 1861. }

To the Speaker of the House of Representatives :

SIR :—I am instructed by the Senate to transmit the following concurrent resolution :

*Resolved*, (by the Senate, the House concurring,) That the Secretary of State is hereby authorized to furnish to the clerk of Kent county, such number of the laws and documents of this State, as may be necessary to replace those destroyed by fire in said Kent county, January 23, 1860,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

On motion of Mr. Howell,

The House concurred in the adoption of the resolution.

Also the following :

SENATE CHAMBER, }  
 Lansing, March 4, 1861. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following:  
 bill, being House bill No. 114, entitled

A bill to amend an act entitled an act to provide for the  
 draining and reclamation of swamp lands by means of State  
 roads and ditches, being act No. 117, of session laws of 1859,

Which the Senate has amended as follows:

1. Insert at the end of section 4, the following: "upon the  
 acceptance, approval and cancelment of any portion of such  
 contract less than the whole, certificates shall be issued only  
 to meet the proportionate expense of constructing the same,  
 not exceeding the contract price, as certified by the commis-  
 sioner of said road;"

2. Strike out of lines 12, 13 and 14, of section 4, the words,  
 "may file applications for unpatented swamp lands with the  
 commissioner of the State land office, and when said lands shall  
 have been patented to the State, it shall be the duty of the  
 commissioner of the State land office, to issue patents for the  
 same to said applicants, their heirs or assigns;"

3. Strike out of the interlineation in the 4th line of section 7,  
 the words "including his expenses;"

4. Insert after the word "Lansing," in the interlineation of  
 line 18, section —, the words, "and in such other manner as  
 the commissioner may deem proper;"

In the passage of which, as thus amended, the Senate has  
 concurred by a majority vote of all the Senators elect, and has  
 ordered the same to take immediate effect by a vote of two-  
 thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The House concurred in the amendments made to the bill by  
 the Senate, by yeas and nays, as follows :

## YEAS.

|                |              |                |
|----------------|--------------|----------------|
| Mr. Alexander, | Mr. Follett, | Mr. Sessions,  |
| Atwood,        | Gilbert,     | Shanahan,      |
| Beamer,        | Goodrich,    | Smith,         |
| Blakeslee,     | N. K. Green, | W. N. Stevens, |
| Brownell,      | Henderson,   | A. Stevens,    |
| Bunce,         | Hemingway,   | Strong,        |
| Chase,         | Hill,        | Taylor,        |
| Childs,        | Hodges,      | Tibbits,       |
| Choate,        | Howell,      | Toll,          |
| Chapoton,      | Hurd,        | Wade,          |
| Cook,          | Joy,         | Warner,        |
| Crego,         | Lockwood,    | T. M. Wilson,  |
| Cutcheon,      | Morrison,    | J. B. Wilson,  |
| A. W. Davis,   | Moore,       | Winans,        |
| C. Davis,      | Peters,      | Woodman,       |
| Ira Davis,     | Peterson,    | Wright,        |
| Douglas,       | Piper,       | Speaker, 51    |

## NAYS.

|             |              |              |
|-------------|--------------|--------------|
| Mr. Cooley, | Mr. Stewart, | Mr. Wheeler, |
| Haire,      |              | 4            |

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Also the following:

SENATE CHAMBER,  
Lansing, March 4, 1861. }

To the Speaker of the House of Representatives :

SIR:—I am instructed by the Senate to transmit the following bills :

1. A bill to authorize the First Congregational Church and society of the village of Hudson to sell their church lot, or any part thereof;

2. A bill to amend an act relative to the State Prison, approved February 12th, 1857, being sections 6231, 6232 and 6233 of compiled laws;

3. A bill to amend chapter 170, of the revised statutes of 1846, being chapter 200 of the compiled laws by adding four new sections thereto, relative to conditional pardons;

4. A bill to authorize the people of Gratiot, and other new

counties, to work out the amount of their indebtedness to this State on the highways in said counties;

5. A bill to authorize the board of supervisors of the county of Ontonagon to raise money by tax, or otherwise, for the protection and improvement of the harbor at the mouth of the Ontonagon river;

6. A bill to amend an act incorporating the Boston and Pittsburg mining company, approved March 18, 1848;

7. A bill to amend chapter 32 of the compiled laws, entitled of limited partnerships;

8. A bill to quiet title in the county of Kent, and other counties;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and referred to the committee on State prison.

The third named bill was read a first and second time by its title, and referred to the committee on judiciary.

The fourth named bill was read a first and second time by its title, and referred to the committee on ways and means.

The fifth named bill was read a first and second time by its title, and referred to the committee on rivers and harbors.

The sixth named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The seventh and eighth named bills were read a first and second time by their titles, and referred to the committee on judiciary.



## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Howell presented the following protest, which was received and ordered printed in the journal :

## PROTEST.

The undersigned, availing themselves of their constitutional right to "dissent from, and protest against, any act, proceeding or resolution which they may deem injurious to any person or the public," respectfully enter their solemn protest against the action of this House on Friday, the first day of March, A. D. 1861, in passing a "joint resolution, appropriating the tolls of the St. Mary's Canal to the payment of the amount due counties for taxes assessed on canal lands."

The title expresses, which is true, that there is *due* the counties, in round numbers, the amount of fifty thousand dollars, and which amount is due the new counties in which the canal lands are situated. The Legislature remitted the taxes on these lands for five years, and set aside and pledged the tolls of the canal to reimburse the counties for the taxes assessed on the same.

Under this provision there has been paid into the treasury applicable to this payment to the counties, forty-four thousand dollars, or within six thousand dollars of discharging such indebtedness to the counties.

These counties having a fixed and vested right to this money, have taken it into consideration in their local affairs, and anticipated the receipt of the money in their business and contracts. The joint resolution is as follows :

JOINT RESOLUTION appropriating the tolls of the St. Mary's Canal to the payment of the amount due counties for taxes assessed on canal lands.

*Whereas*, The legislature, by an act supplementary to an act to provide for the construction of a ship canal around the falls of St. Mary's, approved February 5, 1853, did authorize that the taxes on lands of the St. Mary's canal company might be remitted to the said company for a period of five years ;

*And Whereas*, The taxes thus remitted have been debited to

the general fund, and credited to the counties in which the lands lie, for the purpose of reimbursing such counties; therefore

*Resolved by the Senate and House of Representatives of the State of Michigan,* That the entire receipts from tolls on the St. Mary's ship canal for the year 1862, and for such time thereafter as may be necessary, except such sums as may be required to pay the current expenses of said canal, and also the interest accruing upon the canal loans guaranteed by the State, shall be and the same are set apart for the purpose of reimbursing such sums as are due the several counties on account of taxes remitted by the State on lands belonging to the St. Mary's falls ship canal company. The State Treasurer shall, on the first day of January, 1863, and annually thereafter, as long as there shall be any indebtedness to the counties, on account of taxes remitted as aforesaid, proceed to divide the net amount received during the year from such tolls, among the counties entitled to the same, in proportion to the amount due to each, the same to be paid by the State Treasurer upon the order of the county treasurers respectively.

The House refused to adopt the following substitute offered by Mr. Warner, and also refused to adopt the following substitute offered by Mr. Hemingway:

Mr. Warner moved, as a substitute for the resolution, to commit the joint resolution to a select committee of three, with instructions so to amend the same that the present indebtedness of the State to the Saut St. Marie canal fund shall be applied to the payment of the taxes remitted on Saut St. Marie canal lands by the State, and sufficient of the first next accruing revenue from the canal tolls to pay the balance. The present indebtedness of the State to be provided for as soon as the State can reasonably pay the same.

Mr. Hemingway offered the following as a substitute for the resolution:

*Resolved by the Senate and House of Representatives of the State of Michigan,* That an appropriation of sixty thousand dollars be and the same is hereby made from the general fund of

the State for the purpose of paying to the several counties, in which such canal land lies, the amount of such tax receipted and charged to the general fund, with the interest thereon at ten per cent. from and after the time the same was returned to the office of the Auditor General. And that said amount be added to the State tax for the current year, and that the several county treasurers of the counties in which such land lies, be authorized to draw from the State Treasury, on the warrant of the Auditor General, the amount due to such counties respectively at any time after the next State tax shall be collected and paid over to the State Treasurer.

And then to cut off all explanation or debate, consummated this oppressive and unjust measure, under the aid of the "previous question."

Its want of equality and uniformity will not justify it as a financial measure of even *pressing necessity*. If the running expenses of the State government require money not legitimately in the treasury applicable to such purposes, it should be replenished by taxes, uniform and bearing equally upon all. The legitimate effect of the above resolution is to levy contribution or a forced loan upon the new and weak counties, unequal, discriminating and oppressive, and can only be justified upon the principle that might begets the right, and that the rights and interests of the minority are less sacred than those of the majority—the arbitrary exercise of a naked power without reference to its justice or equity.

Under the grant of lands to build the canal, the faith of the State was pledged to keep the tolls within the amount necessary to keep it in repairs, and it is a breach of that faith to undertake to make such tolls a source of revenue to the State for *any purpose whatever*. Excessive tolls operate as an embargo, or prohibitory tariff upon the mineral interests of the Upper Peninsula, besides turning the avails of a national highway to a private and unjust purpose. If this system is persisted in, it will have the effect to drive capital from the State instead of

inviting its investment to develop our material resources The undersigned, therefore, protest against such action as partial, oppressive, unequal, and dangerous as a precedent to be established, and respectfully request that this protest may be entered on the journals of this House.

W. T. Howell,  
Ebenezer Warner,  
O. C. Stoddard,  
John Strong, Jr.,  
L. P. Alexander,  
John Hadley, Jr.,  
Wm. S. Phelps,  
O. S. Gregory,  
Appleton Stevens,  
A. C. Persons,

G. O. Douglas,  
M. M. Atwood,  
B. L. Hill,  
E. B. Winans,  
Geo. S. Hemingway,  
Alexander Toll,  
Wm. Brownell,  
Gilbert E. Pratt,  
George Peters,  
Sloan Cooley.

Mr. Wallin moved to take from the table House bill, entitled  
A bill to change the name of the township of Newark, in the  
county of Allegan, to that of Saugatuck;

Which motion prevailed.

On motion of Mr. Wallin,

The bill was placed on the order of third reading.

Mr. Childs offered the following :

*Resolved*, That it is inexpedient to make any further appropriations, during this session, of swamp lands for the purpose of constructing roads;

Mr. Douglas moved to add to the resolution the following :  
"except in the Upper Peninsula;"

Which amendment was adopted.

Mr. Gregory demanded the yeas and nays on the passage of the resolution;

The demand was seconded.

Pending the taking of the vote,

Mr. Howell offered the following as a substitute for the resolution:

*Resolved*, That a further appropriation of swamp lands not to

exceed one-tenth part be appropriated rateably for the construction of roads, bridges and drainage."

On motion of Mr. Howell,

The resolutions were laid on the table.

Mr. Shank moved that the committee of the whole be discharged from the further consideration of House bill No. 169, entitled

A bill to amend an act entitled an act to incorporate the city of Lansing, approved February 15th, 1859 ;

Which motion prevailed.

On motion of Mr. Shank,

The bill was placed on the order of third reading.

Mr. Moore moved to take from the order of unfinished business Senate bill, entitled

A bill to amend sections 6138 and 6140, of the compiled laws, being sections 10 and 12, of chapter 201, providing for the employment of prisoners confined in the county jails;

Which motion prevailed.

On motion of Mr. Moore,

The bill was placed on the order of third reading.

Mr. Waterbury moved that the committee of the whole be discharged from the further consideration of House bill No. 120, entitled

A bill to provide for the improvement of the Bridgeport and Forrestville State road ;

Which motion prevailed.

On motion of Mr. Pringle,

The bill was recommitted to the committee on public lands.

Mr. Morrison moved that the committee of the whole be discharged from the further consideration of House bill No. 127, being

A bill to provide for the construction and repair of bridges across the streams of this State ;

Which motion prevailed.

On motion of Mr. Morrison,

The bill was placed on the order of third reading.

Mr. Moore moved that the committee of the whole be discharged from the further consideration of Senate bill No. 44, being

A bill to amend an act entitled an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1849, chapter 141, compiled laws;

Which motion prevailed.

On motion of Mr. Pringle,

The bill was recommitted to the committee on judiciary.

Mr. Pringle moved to take from the order of unfinished business House bill No. 105, entitled

A bill to amend section 26 of an act entitled an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1849, being chapter 141 of the compiled laws;

Which motion prevailed.

On motion of Mr. Pringle,

The bill was recommitted to the committee on judiciary.

Mr. Pringle moved to take from the table Senate bill, entitled

A bill to amend chapter 141, compiled laws, relative to proceedings against garnishees;

Which motion prevailed

On motion of Mr. Lockwood,

The bill was recommitted to the committee on judiciary.

#### THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill, entitled

A bill to authorize the Marshall and Ionia Plank Road Company to discontinue a portion of their road, and for other purposes,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Adams,  
Alexander,  
Atwood,  
Brownell,  
Bunce,  
Chase,  
Childs,

Mr. Haire,  
Henderson,  
Hemingway,  
Hill,  
Howell,  
Hurd,  
Joy,

Mr. Shank,  
Smith,  
W. N. Stevens,  
Stewart,  
Stoddard,  
Tibbits,  
Toll,

|              |           |               |
|--------------|-----------|---------------|
| Choate,      | Kanouse,  | Wade,         |
| A. W. Davis, | Lockwood, | Wallin,       |
| Ira Davis,   | Moore,    | Warner,       |
| Douglas,     | Persons,  | Waterbury,    |
| Fallass,     | Peters,   | Wheeler,      |
| Follett,     | Peterson, | T. M. Wilson, |
| Foote,       | Phelps,   | J. B. Wilson, |
| Fowle,       | Piper,    | Winans,       |
| Gilbert,     | Pringle,  | Woodman,      |
| Goodrich,    | Ramsdell, | Wright,       |
| Gregory,     | Read,     | Speaker,      |
| N. K. Green, | Sessions, | 56:           |

## NAYS

|          |               |             |    |
|----------|---------------|-------------|----|
| Mr. Cox, | Mr. C. Davis, | Mr. Hadley, | 8. |
|----------|---------------|-------------|----|

Title agreed to.

Joint resolution, entitled

Joint resolution appointing Francis A. Artault emigrant agent in Paris, France,

Was read a third time and passed, a majority of the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|              |               |                |
|--------------|---------------|----------------|
| Mr. Adams,   | Mr. Goodrich, | Mr. Sessions,  |
| Alexander,   | Gregory,      | Shank,         |
| Atwood,      | N. K. Green,  | Smith,         |
| Brownell,    | Hadley,       | W. N. Stevens, |
| Bunce,       | Haire,        | A. Stevens,    |
| Chase,       | Henderson,    | Stewart,       |
| Childs,      | Hemingway,    | Strong,        |
| Choate,      | Hodges,       | Tibbits,       |
| Crego,       | Hurd,         | Toll,          |
| A. W. Davis, | Joy,          | Wade,          |
| C. Davis,    | Lockwood,     | Wallin,        |
| Ira Davis,   | Moore,        | Warner,        |
| Douglas,     | Peterson,     | Wetherby,      |
| Fallass,     | Phelps,       | Wheeler,       |
| Follett,     | Piper,        | Winans,        |
| Foote,       | Pringle,      | Woodman,       |
| Fowle,       | Ramsdell,     | Speaker,       |
| Gilbert,     | Read,         | 53             |

## NAYS.

Mr. Cox,

Title and preamble agreed to.

Mr. Lockwood asked and obtained the unanimous consent of the House to offer the following:

*Resolved*, That hereafter, for the purposes of a call of the House, the doors of the committee rooms be considered as part of the bar of the House;

Which was adopted.

Mr. Lockwood moved a call of the House;

Which motion did not prevail.

House bill No. 127, entitled

A bill to provide for the construction and repair of bridges across the streams of this State,

Was read a third time, and pending the taking of the vote,

Mr. Lockwood moved that the bill be recommitted to the committee on roads and bridges;

Mr. Childs moved to add to the motion the following instructions: to strike out section 4 of the bill;

Which was accepted.

Mr. Howell demanded the yeas and nays.

The demand was seconded.

Mr. Wallin demanded the previous question.

The demand was seconded, and the main question ordered.

The motion to recommit did not prevail, by yeas and nays, as follows :

#### YEAS.

Mr. Atwood,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cook,  
Cooley,  
Crego,  
Ira Davis,

Mr. Fallass,  
Foote,  
Gilbert,  
Gregory,  
Hadley,  
Henderson,  
Hurd,  
Lockwood,  
Miller,  
Pringle,

Mr. Ramsdell,  
Read,  
W. N. Stevens,  
Stoddard,  
Strong,  
Tibbits,  
Wetherby,  
J. B. Wilson,  
Winans,  
Woodman,

81

#### NAYS.

Mr. Adams,  
Alexander,  
Beamer,

Mr. Hill,  
Hodges,  
Howell,

Mr. Smith,  
A. Stevens,  
Stewart,



|              |           |               |
|--------------|-----------|---------------|
| Blakeslee,   | Joy,      | Taylor,       |
| Cox,         | Kanouse,  | Toll,         |
| Cutcheon     | Morrison, | Wade,         |
| A. W. Davis, | Moore,    | Wallin,       |
| C. Davis,    | Persons,  | Warner,       |
| Douglas,     | Peters,   | Waterbury,    |
| Follett,     | Peterson, | Wheeler,      |
| Goodrich,    | Phelps,   | T. M. Wilson, |
| N. K. Green, | Piper,    | Wright,       |
| Haire,       | Pratt,    | Speaker,      |
| Hemingway,   | Sessions, | 41            |

The question recurring upon the passage of the bill, a majority of all the members elect not voting therefor, it was not passed, by yeas and nays, as follows :

## YEAS.

|              |            |             |
|--------------|------------|-------------|
| Mr. Adams,   | Mr. Haire, | Mr. Piper,  |
| Alexander,   | Hemingway, | Pratt,      |
| Beamer,      | Hill,      | Ramsdell,   |
| Blakeslee,   | Hodges,    | Sessions,   |
| Chase,       | Howell,    | Smith,      |
| Chapoton,    | Joy,       | A. Stevens, |
| Cutcheon,    | Kanouse,   | Stewart,    |
| C. Davis,    | Leetch,    | Taylor,     |
| Ira Davis,   | Morrison,  | Toll,       |
| Douglas,     | Moore,     | Warner,     |
| Follett,     | Persons,   | Waterbury,  |
| Fowle,       | Peters,    | Wheeler,    |
| Goodrich,    | Peterson,  | Wright,     |
| N. K. Green, | Phelps,    | 41          |

## NAYS.

|              |                |               |
|--------------|----------------|---------------|
| Mr. Atwood,  | Mr. Gilbert,   | Mr. Stoddard, |
| Brownell,    | Gregory,       | Strong,       |
| Bunce,       | Hadley,        | Tibbits,      |
| Childs,      | Henderson,     | Wade,         |
| Choate,      | Hurd,          | Wallin,       |
| Cook,        | Lockwood,      | Wetherby,     |
| Cooley,      | Miller,        | T. M. Wilson, |
| Cox,         | Pringle,       | J. B. Wilson, |
| Orego,       | Read,          | Winans,       |
| A. W. Davis, | Shanahan,      | Woodman,      |
| Fallass,     | W. N. Stevens, | Speaker,      |
| Foots,       |                | 24            |

House bill, entitled

A bill to change the name of the township of Newark, in Allegan county, to that of Saugatuck,

Being under consideration,

Mr. Morrison moved to lay the bill on the table;

Which motion did not prevail.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Adams,  
Alexander,  
Atwood,  
Beamer,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cook,  
Coooley,  
Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,

Mr. Goodrich,  
Gregory,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hill,  
Hodges,  
Kanouse,  
Leetch,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,  
Read,  
Sessions,

Mr. Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
J. B. Wilson,  
T. M. Wilson,  
Winans,  
Woodman,  
Wright,  
Speaker,

22

## NAYS.

Mr. Blakeslee,  
Cox,

Mr. Hemingway,  
Howell,

Mr. Joy,  
Strong,

6

Title agreed to.

Senate bill No. 35, entitled

A bill to amend sections 6138 and 6140 of the compiled laws, being sections 10 and 12, of chapter 201, providing for the employment of prisoners confined in the county jails,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |              |                |
|----------------|--------------|----------------|
| Mr. Alexander, | Mr. Gregory, | Mr. Ramsdell,  |
| Beamer,        | N. K. Green, | Read,          |
| Blakeslee,     | Hadley,      | Sessions,      |
| Brownell,      | Haire,       | Shank,         |
| Bunce,         | Henderson,   | Shanahan,      |
| Chase,         | Hemingway,   | Smith,         |
| Childs,        | Hill,        | W. N. Stevens, |
| Choate,        | Hodges,      | A. Stevens,    |
| Chapoton,      | Hurd,        | Strong,        |
| Cook,          | Joy,         | Taylor,        |
| Cox,           | Kanouse,     | Tibbits,       |
| Cutcheon,      | Leetch,      | Toll,          |
| A. W. Davis,   | Lockwood,    | Wallin,        |
| C. Davis,      | Miller,      | Warner,        |
| Ira Davis,     | Moore,       | Waterbury,     |
| Douglas,       | Peters,      | Wetherby,      |
| Fallass,       | Peterson,    | Wheeler,       |
| Follett,       | Phelps,      | J. B. Wilson,  |
| Fowle,         | Piper,       | Winans,        |
| Gilbert,       | Pratt,       | Woodman,       |
| Goodrich,      | Pringle,     | Speaker, 63    |

## NAYS.

|             |            |                 |
|-------------|------------|-----------------|
| Mr. Atwood, | Mr. Foote, | Mr. Stoddard,   |
| Cooley,     | Howell,    | Wade,           |
| Crego,      | Stewart,   | T. M. Wilson, 9 |

Title agreed to.

Mr. Tibbits moved to reconsider the veto whereby the House refused to pass House bill No. 127, entitled

A bill to provide for the construction and repair of bridges across the streams of this State.

Mr. Howell demanded the yeas and nays;

The demand was seconded, and the motion prevailed, by yeas and nays, as follows :

## YEAS.

|                |                  |               |
|----------------|------------------|---------------|
| Mr. Alexander, | Mr. N. K. Green, | Mr. Peterson, |
| Beamer,        | Haire,           | Phelps,       |
| Blakeslee,     | Hemingway,       | Ramsdell,     |
| Choate,        | Hill,            | Sessions,     |
| Chapoton,      | Hodges,          | Shank,        |
| Cutcheon,      | Howell,          | Stewart,      |
| C. Davis,      | Joy,             | Taylor,       |

Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Fowle,  
Goodrich,

Kanouse,  
Leetch,  
Morrison,  
Moore,  
Persons,  
Peters,

Tibbits,  
Toll,  
Warner,  
Waterbury,  
Wheeler,  
Wright, 39

## NAYS.

Mr. Adams,  
Atwood,  
Bunce,  
Chase,  
Childs,  
Cook,  
Cooley,  
Cox,  
Grego,  
A. W. Davis,  
Foote,  
Gilbert,

Mr. Gregory,  
Hadley,  
Henderson,  
Hurd,  
Lockwood,  
Miller,  
Piper,  
Pratt,  
Pringle,  
Read,  
Shank,

Mr. Shanahan,  
W. N. Stevens,  
A. Stevens,  
Stoddard,  
Strong,  
Wade,  
Wallin,  
Wetherby,  
T. M. Wilson,  
J. B. Wilson,  
Woodman, 34

On motion of Mr. Morrison,

The bill was committed to the judiciary committee.

House bill No. 169, entitled

A bill to amend an act entitled an act to incorporate the city of Lansing, approved February 15th, 1859,

Having been read a third time, and the question before the House being upon its passage,

On motion of Mr. Howell,

The House adjourned until this afternoon at 2 o'clock.

## AFTERNOON SESSION.

2 o'clock, P. M.

House met, and was called to order by the Speaker.

Roll called: quorum present.

The House resumed business under the order of

## THIRD READING OF BILLS AND JOINT RESOLUTIONS.

The question being upon the passage of House bill No. 169, entitled

A bill to amend an act entitled an act to incorporate the city of Lansing, approved February 15th, 1859,

Mr. Howell moved to recommit the bill to the committee on banks and incorporations, with instructions to strike out recited sections 74, 112 and 196;

Mr. Sessions moved to amend the instructions by inserting "104" between "74" and "112;"

Which was accepted.

Mr. Davis moved to amend the instructions by adding thereto "257;"

Which was not adopted.

The question being upon recommitting the bill with the above instructions,

Mr. Shank called for a division of the question.

The question being upon recommitting the bill, the motion prevailed.

The instructions, by unanimous consent, were withdrawn.

Mr. Warner moved to suspend the rule prohibiting the third reading of bills on the same day they are reported by a committee, and that the bills now on the order of third reading, be put on their final passage ;

Which motion did not prevail.

#### UNFINISHED BUSINESS,

Being the consideration of House bill No. 10, entitled

A bill to amend section 1 of an act entitled an act to amend chapter 150, of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salaries of judges of probate.

Mr. Pringle moved to amend the bill as follows : Add to the bill, to stand as section 5, the following :

"Sec. 5. In all cases of residuary legatees, and all other cases where, by the provisions of law, no inventory or appraisement shall be required to be made and returned, it shall be the duty of the judge of probate, before receiving any bond from such residuary legatee, or making of any order therein, except when the provisions of the preceding section shall apply, to certify, under his hand and seal of office, the amount to be paid by

the person or persons interested therein, to the treasurer of such county; and said probate court shall receive and file in his office a receipt of the payment of such amount, which amount, so required to be paid, shall be computed at the rate of one per cent. on the property thus to be sold, transferred, decreed, devised or affirmed, as the case may be, to be determined by the examination of the parties interested, or such other persons on oath, as to the court shall be satisfactory."

Insert the word "and five," after the word "four," in 1st line, sec. 1, and strike out the word "and," between the words "one" and "four," in same line.

Mr. Lockwood moved to add to the proposed section 5, the following :

"*Provided*, That in no case shall the amount of fees to be paid to the treasurer under this act, exceed one hundred dollars in the settlement of any estate ;"

Which was adopted.

The amendments proposed to the bill were then adopted.

The bill was then ordered engrossed for a third reading.

#### GENERAL ORDER.

On motion of Mr. Tibbits,

The House went into committee of the whole on the general order,

Mr. Outcheon in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled bills :

1. House bill No. 115, entitled

A bill in relation to assignments, and to compel assignees to give security;

2: House bill No. 129, entitled

A bill to reduce the capital stock of the president, directors, and company of the Peninsular Bank;

Have made no amendments thereto, and have directed their

chairman to report the same back to the House and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

3. House bill No. 85, entitled

A bill to amend sections 1, 5, 10, 13, 15, 16 and 19, of an act entitled an act to provide for the draining of swamps, marshes, and other low lands, approved February 17, 1857; and also to amend sections 3, 6, 7, 8, 9, 25, 26, 27, of the act amendatory thereto, entitled an act to amend sections 2, 6, 7, 8, 9 and 12, of an act entitled an act to provide for the draining of swamps, marshes, and other low lands, approved February 17, 1857, and to amend said act by adding thereto sections 20, 21, 22, 23, 24 and 25, approved February 14, 1859;

4. House bill No. 116, entitled

A bill to amend sections 3 to 11 inclusive, of chapter 100, of the revised statutes of 1846, sections 4188 to 4196 inclusive, of the compiled laws, relative to referees;

5. Senate bill No. 79, entitled

A bill to re-organize the agricultural college of the State of Michigan, and to establish a State board of agriculture;

Have made some amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

S. M. CUTCHEON, *Chairman*.

The first and second named bills were ordered to a third reading.

The amendments to the third and fourth named bills were concurred in, and the bills ordered engrossed for a third reading.

Mr. Woodman moved that the fifth named bill be referred to the committee on ways and means;

Which motion did not prevail.

The bill was then ordered to a third reading.

On motion of Mr. Howell,

The House adjourned until 7½ o'clock this evening.

## EVENING SESSION.

7½ o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called : quorum present.

By unanimous consent the committee on State affairs submitted the following report :

The committee on State affairs, to whom was recommitted House bill, entitled

A bill to apportion anew the representatives among the several counties and districts of this State,

Have had the same under consideration, and herewith report the bill amended, and ask to be discharged.

A. H. MORRISON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Cutcheon,

The House concurred in the amendments made by the committee.

On motion of Mr. Morrison,

The bill was ordered printed, and made the special order for Wednesday afternoon next at 2 o'clock.

## GENERAL ORDER.

On motion of Mr. Tibbits,

The House went into committee of the whole on the general order,

Mr. Ramsdell in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled bills :

1. Senate bill No. 12, entitled

A bill to amend section 2033, of the compiled laws, relative to gifts, bequests and legacies to religious societies;

2. House bill No. 103, entitled

A bill to authorize the Auditor General to execute second tax deeds, in certain cases;

3. Senate bill No. 11, entitled



A bill to amend sections 4339, 4340, 4341, and 4342, of the compiled laws;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

4. House bill No. 109, entitled

A bill to provide for the expenses incurred in rebuilding the machine shops at the State Reform School;

And report the same back with a recommendation that it be indefinitely postponed.

The committee of the whole have also had under consideration

5. House bill No. 107, entitled

A bill making the action of trespass transitory in certain cases;

Have made an amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

T. J. RAMSDELL, *Chairman.*

Report accepted and committee discharged.

Pending ordering the first named bill to a third reading,

Mr. Ramsdell moved to amend the same by inserting after the word "void," in line 15, the following: "if such last will and testament shall be made during the last sickness of the testator or testatrix."

Mr. Pringle moved to amend the amendment by inserting after the word "sickness," the words "and within two months of the decease;"

Which was accepted.

The amendment was not adopted,

The bill was then ordered to a third reading.

The second and third named bills were ordered to a third reading.

On motion of Mr. Joy,

The fourth named bill was indefinitely postponed.

On motion of Mr. Childs,  
The amendments to the fifth named bill were concurred in,  
and the bill ordered engrossed for a third reading.  
On motion of Mr. Wallin,  
The House adjourned till to-morrow morning at 9 o'clock.

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*Lansing, Tuesday, March 5, 1861.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Potter.

Roll called : quorum present.

Absent at roll call without leave, Messrs. Cook and A. L. Green.

Mr. Henderson asked and obtained leave of absence for Mr. Cook for an indefinite time, on account of sickness in his family.

PETITIONS PRESENTED.

By Mr. Leetch: petition of Wm. K. Horner, Thos. Brigham and 39 others, asking for the repeal of the salt bounty law;

Referred to the special committee on salt interest.

By Mr. Atwood: petition of Henry Smith, to arrest civil war;  
Referred to the committee on militia.

By Mr. Morrison: petition of B. F. King and 60 other citizens of Berrien county, against continuing the salt bounty law;

Referred to the special committee on salt interest.

By Mr. Hemingway: petition of Geo. Turner, Henry Thompson, and 25 other citizens of Midland county, in favor of a State road from Midland City to the township of Jerome, in said county, with an appropriation of swamp lands to aid in its construction;

Referred to the committee on public lands.

REPORTS OF STANDING COMMITTEES.

By the committee on banks and incorporations :

The committee on banks and incorporations, to whom was referred Senate bill No. 100, entitled

A bill to amend sections 2014 and 2017 of the compiled laws,

Respectfully report that they have had the same under consideration, and report the bill back to the House without amendment, and with a recommendation that it do pass, and ask to be discharged.

E. PRINGLE, *Chairman*.

Report accepted, and committee discharged.

On motion of Mr. Pringle,

The bill was placed on the order of third reading.

By the committee on banks and incorporations :

The committee on banks and incorporations, to whom was referred

A bill to authorize Thomas Mosely to make conveyance of real estate, and close up the business of the Union City Iron Company in the county of Branch;

Also, a petition for the same,

Respectfully report that they have had the same under consideration, and while they would be glad to grant the prayer of the petitioners, they are of opinion that the Constitution forbids the passage of the bill. They therefore return the same with a recommendation that it do not pass, and ask to be discharged.

EUGENE PRINGLE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Wallin,

The bill was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, have had under consideration two Senate bills, as follows:

1. A bill to authorize the township board of the township of Genoa, in the county of Livingston, to transfer the title of the township burial ground to a corporation ;

2. A bill to authorize the first congregational church and society of the village of Hudson, to sell their church lot, or any part thereof ;

And return the same to the House without amendment, and finding no objection to their passage, except that growing out of a constitutional provision, which has always heretofore been

On motion of Mr. Childs,

The amendments to the fifth named bill were concurred in, and the bill ordered engrossed for a third reading.

On motion of Mr. Wallin,

The House adjourned till to-morrow morning at 9 o'clock.

---

*Lansing, Tuesday, March 5, 1861.*

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Prayer by Rev. Mr. Potter.

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Absent at roll call without leave, Messrs. Cook and A. L. Green.

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PETITIONS PRESENTED.

By Mr. Leetch: petition of Wm. K. Horner, Thos. Brigham and 39 others; asking for the repeal of the salt bounty law;

Referred to the special committee on salt interest.

By Mr. Atwood: petition of Henry Smith, to arrest civil war;

Referred to the committee on militia.

By Mr. Morrison: petition of B. F. King and 60 other citizens of Berrien county, against continuing the salt bounty law;

Referred to the special committee on salt interest.

By Mr. Hemingway: petition of Geo. Turner, Henry Thompson, and 25 other citizens of Midland county, in favor of a State road from Midland City to the township of Jerome, in said county, with an appropriation of swamp lands to aid in its construction;

Referred to the committee on public lands.

REPORTS OF STANDING COMMITTEES.

By the committee on banks and incorporations :

The committee on banks and incorporations, to whom was referred Senate bill No. 100, entitled

A bill to amend sections 2014 and 2017 of the compiled laws,

Respectfully report that they have had the same under consideration, and report the bill back to the House without amendment, and with a recommendation that it do pass, and ask to be discharged.

E. PRINGLE, *Chairman*.

Report accepted, and committee discharged.

On motion of Mr. Pringle,

The bill was placed on the order of third reading.

By the committee on banks and incorporations :

The committee on banks and incorporations, to whom was referred

A bill to authorize Thomas Mosely to make conveyance of real estate, and close up the business of the Union City Iron Company in the county of Branch;

Also, a petition for the same,

Respectfully report that they have had the same under consideration, and while they would be glad to grant the prayer of the petitioners, they are of opinion that the Constitution forbids the passage of the bill. They therefore return the same with a recommendation that it do not pass, and ask to be discharged.

EUGENE PRINGLE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Wallin,

The bill was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, have had under consideration two Senate bills, as follows:

1. A bill to authorize the township board of the township of Genoa, in the county of Livingston, to transfer the title of the township burial ground to a corporation ;

2. A bill to authorize the first congregational church and society of the village of Hudson, to sell their church lot, or any part thereof ;

And return the same to the House without amendment, and finding no objection to their passage, except that growing out of a constitutional provision, which has always heretofore been

construed so as to allow the passage of such bills. The committee make no recommendation and ask to be discharged.

EUGENE PRINGLE, *Chairman*.

Report accepted, and committee discharged.

On motion of Mr. Pringle,

The bills were placed on the order of third reading.

By the committee on banks and incorporations :

The committee on banks and incorporations to whom was re-committed

A bill to amend an act entitled an act to incorporate the city of Lansing, approved February 15, 1859,

Respectfully report that they have had the same under consideration, have proposed certain amendments thereto, which are herewith submitted, and return the same to the House with the recommendation that when so amended it do pass, and ask to be discharged from the further consideration thereof.

EUGENE PRINGLE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Taylor,

The House concurred in the amendments made by the committee.

On motion of Mr. Howell,

The bill was ordered engrossed for a third reading.

By the committee on ways and means :

The committee on ways and means, to whom was referred

A bill to authorize the people of Gratiot and other new counties to work out the amount of their indebtedness to the State on the highways in said counties,

Have considered the same and have instructed me to say that this indebtedness is made up of the rates of the various parties to whom aid was furnished a year or two since under an act of the Legislature appropriating the sum of \$15,000, and so much as should be necessary to relieve the necessities of the people of those counties, in consequence of the scarcity of provisions. They are in small sums, and probably to the State they are worthless, or of little value, and would cost more than they

would come to to collect them. They are against men of small means, because none others could have needed such aid. While, however, they would be worth nothing to the State, they may be worth something to the counties if they can be paid in labor on the highways, as the bill in question provides they may. The committee, therefore, feeling that this is probably the only way the public can be benefitted by them, have concluded to recommend that the bill which thus disposes of them be permitted to pass.

J. F. JOY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Howell,

The bill was placed on the order of third reading.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled :

A bill to amend section 2, of chapter 20, of the compiled laws, relative to the meeting of highway commissioners,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Alexander,

The bill was placed on the order of third reading.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend sections 11, 12 and 13, of chapter 22, of the compiled laws, relative to laying out, altering or discontinuing highways,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Leetch,

The bill was placed on the order of third reading.

By the judiciary committee:

The majority of the committee on the judiciary, to whom was referred House bill, entitled

A bill to provide for the construction and repair of bridges across the streams of this State,

Respectfully report that they have considered the same, and that they are of opinion that the provisions of the second section of the bill, which attempts to authorize the board of supervisors to apportion a tax among several towns for building a bridge, which shall amount, in the aggregate, to more than one thousand dollars in any one year, without a vote of a majority of the electors of the county voting thereon, and which obliges the townships, in such case, to assess such tax; is in conflict with section five, of article 10, of the constitution of this State, which, in its latter clause, positively forbids a greater sum than one thousand dollars to be raised by tax in any one year, unless authorized by a majority of the electors voting thereon. Your committee, therefore, recommend that the bill be amended by striking out the words, "one township" in the 11th line of section one, and inserting "county" in lieu thereof; and adding at the end of the section, the words, "unless authorized by a majority of the electors voting thereon" and herewith report said bill back to the House, without further recommendation.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Childs,

The House concurred in the amendments made by the committee.

On motion of Mr. Howell,

The bill was referred to the committee of the whole and placed on the general order.

By the judiciary committee:



The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend chapter 32 of the compiled laws, entitled of nited partnerships,

Respectfully report that they have had the said bill under consideration, and return the same to the House with the accompanying amendments, recommend that the amendments be concurred in, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Tibbits,

The House concurred in the amendments made by the committee.

On motion of Mr. Pratt,

The bill was placed on the order of third reading.

By the committee on State prison:

The committee on State prison, to whom was referred Senate bill No. 73, being

A bill to amend an act entitled an act relative to the State prison, approved February 12, 1857, being sections 6231 and 6233 of the compiled laws,

Respectfully report that they have had the same under consideration, and report it back to the House without amendment, and recommend that the same do pass, and ask to be discharged from the further consideration thereof.

H. B. SHANK, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

#### REPORTS OF SELECT COMMITTEES.

The select committee to whom was referred House bill; entitled

A bill giving to lumbermen a lien on logs and lumber, for their personal services,

Respectfully report that they have had the same under consid-

eration, and have instructed their chairman to report the same back with an amendment, and when so amended, recommend that the same do pass.

W. T. HOWELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The bill was placed on the order of third reading.

The select committee to whom was referred House bill No. 70, entitled

A bill to provide for the floating of logs and timber in the streams of this State,

Have had the same under consideration, and beg leave to report that they find some of the provisions of the said bill to be unconstitutional, and other parts of it more or less defective. They therefore report the accompanying substitute, and recommend its adoption; and when so adopted, recommend that it do pass, and ask to be discharged from the further consideration of the subject.

Respectfully submitted.

B. L. HILL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The substitute offered by the committee was adopted.

On motion of Mr. Hill,

The bill was placed on the order of third reading.

#### MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, March 4, 1861. }

To the House of Representatives :

I have approved and deposited in the office of the Secretary of State the following :

An act to amend sections 8, 9, 16 and 18, of chapter 94, of the revised statutes of 1846, the same being chapter 118 compiled laws, relative to criminal proceedings before justices of the peace;

Also,

An act to amend section 5 of an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853;

Also,

An act entitled an act to organize the township of Hamlin, in the county of Mason;

Also,

An act to locate and establish the county seat of Mason county;

Also,

An act to authorize certain highways to be laid out less than four rods wide;

Also,

An act to attach certain unorganized territory to the county of Iosco;

Also,

An act to amend an act entitled an act to reorganize the township of Garden Island, and to change the name of said township;

Also,

An act to provide for the preservation of bridges in certain cases;

Also,

An act to provide for holding inquests on the view of dead bodies within the cities of this State by the coroners of the counties in which they are situate;

Also,

An act entitled an act to authorize the conveyance of certain portions of section 16, township 1 south, of range 11 west, in the county of Kalamazoo;

Also,

An act to amend section 83, chapter 109, of the revised statutes of 1846, being section 4648 of the compiled laws, relative to partition of lands owned by several persons;

Also,

An act to change the name of the township of Little Sauble in the county of Mason.

AUSTIN BLAIR.

Laid on the table.

Also the following :

EXECUTIVE OFFICE,  
Lansing, March 4, 1861. }

*To the House of Representatives :*

I herewith return to your Honorable Body the act entitled  
An act relative to levies of executions on real estate,  
With my objections to the same.

My objections relate wholly to the second section of the act, which makes invalid any unrecorded deed or mortgage as against a subsequent levy of execution on the same premises, unless the grantee named in the deed shall be in actual possession. No matter how honest the transaction may be, a careless or ignorant neglect to record the deed or mortgage for thirty days will turn the land over to the payment of another man's debt; and the result is the same though the execution creditor has actual notice of the existence of the deed or mortgage and of a full consideration honestly paid for the same.

There is also a class of cases in which deeds have been actually recorded, but on account of some defect of form, were not legally entitled to record. In such a case, the record is a nullity, and under this second section I do not see anything to prevent the creditors of the grantor from seizing the premises and appropriating them with full knowledge of all the equities of the case.

On the whole, I can see no good to arise from the change of the law contemplated by this second section to at all compensate for the dangers incurred. It seeks to overturn a well-settled rule that has existed for a very great length of time, and under which I think no serious difficulties have occurred which call for correction. Such changes, in any case, ought to be made with extreme caution, and only when the necessity for them is very clear.

If the second section was stricken from the act I should very willingly approve it.

AUSTIN BLAIR.

On motion of Mr. Pringle,

The objections of the Governor to the bill were referred to the committee on judiciary.

Mr. Childs moved that the consideration of the bill be postponed until to-morrow morning at 10 o'clock ;

Which motion did not prevail.

The Speaker announced the question to be "shall the bill pass, notwithstanding the objections of the Governor?"

The bill was not passed, a majority of all the members elect not voting therefor, as follows :

YEAS.

Mr. Atwood,  
Beamer,  
Joy,

Mr. Lockwood,  
Stank.  
A. Stevens,

Mr. Toll,  
Wallin,  
Wright,

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NAYS.

Mr. Adams,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cooley,  
Cox,  
Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,

Mr. Gregory,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Kanouse,  
Leetch,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,

Mr. Pringle,  
Ramsdell,  
Read,  
Sessions,  
Shanahan,  
W. N. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Fibbits,  
Wade,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Speaker,

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## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Tibbits moved that the committee of the whole be discharged from the further consideration of House bill, entitled

A bill to prohibit the county auditors of Wayne county from allowing any extra compensation for any services rendered to the county beyond what the law provides ;

Which motion prevailed.

On motion of Mr. Tibbits,

The bill was placed on the order of third reading.

Mr. Pratt moved that the committee of the whole be discharged from the further consideration of House joint resolution No. 10, entitled

Joint resolution to relieve Christopher C. Darling and Leonard Murphy, in the matter of extra work on the Ionia and Houghton lake State swamp land road, and to authorize the Auditor General to draw his warrant on the State Treasurer for the amount herein stated ;

Which motion prevailed.

On motion of Mr. Pratt,

The joint resolution was placed on the order of third reading.

Mr. A. W. Davis moved that the committee of the whole be discharged from the further consideration of House bill No. 72, entitled

A bill to provide a military fund and force ;

Which motion did not prevail.

Mr. Lockwood offered the following :

*Resolved*, (if the Senate concur,) That in consideration of the long life of public service of our eminent fellow citizen, Lewis Cass, who has now retired from the scenes of public and political strife, and who, in his last public act, has, by refusal of all complicity with disunionists and traitors, merited the warmest thanks of all his countrymen, the legislature of Michigan, the State he has chosen as his home and final resting place, do hereby extend to him our hearty welcome, and invite him, if it shall suit his convenience, to visit us before the close of this session, to receive our welcome and our thanks, in person.

*Resolved*, That the Governor of this State be requested to transmit a duly certified copy of the foregoing resolution to General Cass, at Detroit, with such letter as he shall deem proper.

On motion of Mr. Morrison,

The rules were suspended, requiring the resolution to lay on the table for one day.

The resolution was then passed, by yeas and nays, as follows:

YEAS.

|              |              |                |
|--------------|--------------|----------------|
| Mr. Adams,   | Mr. Foote,   | Mr. Pringle,   |
| Alexander,   | Fowle,       | Sessions,      |
| Atwood,      | Goodrich,    | Shank,         |
| Beamer,      | Gregory,     | Shanahan,      |
| Brownell,    | N. K. Green, | Smith,         |
| Bunce,       | Hadley,      | W. N. Stevens, |
| Chase,       | Henderson,   | Stewart,       |
| Childs,      | Hemingway,   | Stoddard,      |
| Choate,      | Hill,        | Strong,        |
| Chappton,    | Hodges,      | Tibbits,       |
| Cooley,      | Howell,      | Toll,          |
| Cox,         | Joy,         | Wade,          |
| Grego,       | Lockwood,    | Warner,        |
| Cutcheon,    | Morrison,    | T. M. Wilson,  |
| A. W. Davis, | Moore,       | Winans,        |
| C. Davis,    | Persons,     | Woodman,       |
| Ira Davis,   | Peters,      | Wright,        |
| Douglas,     | Piper,       | Speaker,       |
| Follett,     | Pratt,       |                |

56

NAYS.

Mr. Peterson,

1

Mr. Tibbits moved that the rule requiring the third reading of bills to be on a day subsequent to that on which they are reported from the committee of the whole, be suspended, and that the several bills reported to-day be put on their final passage;

Which was withdrawn.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 129, entitled

A bill to reduce the capital stock of the president, directors and company of the Peninsular bank,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|            |               |               |
|------------|---------------|---------------|
| Mr. Adams, | Mr. Goodrich, | Mr. Pringle,  |
| Alexander, | Gregory,      | Ramsdell,     |
| Atwood,    | N. K. Green,  | Read,         |
| Beamer,    | Hadley,       | Shank,        |
| Blakeslee, | Henderson,    | Shanahan,     |
| Brownell,  | Hemingway,    | Smith,        |
| Bunce,     | Hill,         | A. Stevens,   |
| Chase,     | Hood,         | Stewart,      |
| Childs,    | Howell,       | Taylor,       |
| Choate,    | Joy,          | Tibbits,      |
| Chapoton,  | Kanouse,      | Toll,         |
| Cooley,    | Leetch,       | Wade,         |
| Orego,     | Lockwood,     | Wallin,       |
| Cutcheon,  | Morrison,     | Warner,       |
| O. Davis,  | Moore,        | Wetherby,     |
| Ira Davis, | Persons,      | T. M. Wilson, |
| Douglas,   | Peters,       | J. B. Wilson, |
| Fallass,   | Peterson,     | Winans,       |
| Follett,   | Phelps,       | Woodman,      |
| Fects,     | Piper,        | Wright,       |
| Gilbert,   | Pratt,        | Speaker, 63   |

## NAYS.

|              |                |               |
|--------------|----------------|---------------|
| Mr. Cox,     | Mr. Hodges,    | Mr. Stoddard, |
| A. W. Davis, | Sessions,      | Strong,       |
| Fowle,       | W. N. Stevens, | 8             |

Title agreed to.

On motion of Mr. Read,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 85, entitled

A bill to amend sections 1, 5, 10, 13, 15, 16 and 19, of an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved February 17, 1857 ; and also to amend sections 3, 6, 7, 8, 9, 25, 26, 27, of the act amendatory thereto, entitled an act to amend sections 2, , 6, 7, 8, 9 and 12, of an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved February 17, 1857, and



to amend said act by adding thereto sections 20, 21, 22, 23, 24 and 25, approved February 14, 1859,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |                |                |
|----------------|----------------|----------------|
| Mr. Alexander, | Mr. Henderson, | Mr. Shank,     |
| Beamer,        | Hemingway,     | Shanahan,      |
| Blakeslee,     | Hill,          | Smith,         |
| Brownell,      | Hodges,        | W. N. Stevens, |
| Bunce,         | Hood,          | A. Stevens,    |
| Chase,         | Hurd,          | Stewart,       |
| Childs,        | Joy,           | Stoddard,      |
| Chapoton,      | Kanouse,       | Strong,        |
| Crego,         | Leetch,        | Taylor,        |
| C. Davis,      | Lockwood,      | Tibbits,       |
| Ira Davis,     | Morrison,      | Toll,          |
| Fallass,       | Moore,         | Wade,          |
| Follett,       | Persons,       | Wallin,        |
| Fowle,         | Peterson,      | Waterbury,     |
| Gilbert,       | Piper,         | Wetherby,      |
| Goodrich,      | Pratt,         | J. B. Wilson,  |
| N. K. Green,   | Pringle,       | Winans,        |
| Hadley,        | Sessions,      | Wright,        |

54

## NAYS.

|            |                  |             |
|------------|------------------|-------------|
| Mr. Adams, | Mr. A. W. Davis, | Mr. Peters, |
| Atwood,    | Douglas,         | Warner,     |
| Choate,    | Howell,          | Woodman,    |
| Cox,       |                  |             |

10

The question being upon agreeing to the title,

Mr. Childs offered the following substitute therefor :

A bill to provide for the draining of swamps, marshes and other low lands ;

Which was adopted.

The title was then agreed to.

On motion of Mr. Childs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to incorporate the village of Decatur,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|              |                |                |
|--------------|----------------|----------------|
| Mr. Adams,   | Mr. Henderson, | Mr. Pratt,     |
| Blakeslee,   | Hemingway,     | Sessions,      |
| Brownell,    | Hill,          | Shanahan,      |
| Bunce,       | Hood,          | Smith,         |
| Childs,      | Howell,        | W. N. Stevens, |
| Choate,      | Hurd,          | A. Stevens,    |
| Cox,         | Joy,           | Stewart,       |
| C. Davis,    | Kanouse,       | Stoddard,      |
| Ira Davis,   | Leetch,        | Taylor,        |
| Douglas,     | Lockwood,      | Tibbits,       |
| Fallass,     | Morrison,      | Toll,          |
| Follett,     | Moore,         | Warner,        |
| Fowle,       | Peters,        | J. B. Wilson,  |
| Goodrich,    | Peterson,      | Woodman,       |
| N. K. Green, | Phelps,        | Wright,        |
| Hadley,      | Piper,         | Speaker, 43    |

## NAYS.

|                |             |             |
|----------------|-------------|-------------|
| Mr. Alexander, | Mr. Hodges, | Mr. Wallin, |
| Crego,         | Strong,     | Winans, 6   |

Title agreed to.

On motion of Mr. Woodman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 98, entitled

A bill to assess a special tax for the improvement of the meridian line road, between Lenawee and Hillsdale counties,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |            |               |
|----------------|------------|---------------|
| Mr. Alexander, | Mr. Haire, | Mr. Pratt,    |
| Blakeslee,     | Henderson, | Ramsdell,     |
| Brownell,      | Hemingway, | Sessions,     |
| Bunce,         | Hill,      | Shank,        |
| Chase,         | Hood,      | Smith,        |
| Choate,        | Hurd,      | A. Stevens,   |
| Cox,           | Joy,       | Stoddard,     |
| Ira Davis,     | Kanouse,   | Toll,         |
| Douglas,       | Leetch,    | Wade,         |
| Follett,       | Lockwood,  | Wetherby,     |
| Foote,         | Miller,    | J. B. Wilson, |
| Fowle,         | Morrison,  | Winans,       |

Goodrich,  
N. K. Green,  
Hadley,

Persons,  
Peters  
Piper,

Woodman,  
Wright,  
-Speaker, 45

## NAYS.

Mr. Adams,  
Crego,  
A. W. Davis,

Mr. Hodges,  
Stewart,

Mr. Tibbits,  
Wallin,

7

Title agreed to.

House bill No. 116, entitled

A bill to amend sections 3 to 11 inclusive, of chapter 100, of the revised statutes of 1846, sections 4188 to 4196 inclusive, of the compiled laws, relative to referees,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Adams,  
Alexander,  
Atwood,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cooley,  
Cox,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Follett,  
Foote,  
Fowle,  
Gilbert,

Mr. Goodrich,  
Gregory,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Leetch,  
Lockwood,  
Morrison,  
Persons,  
Peters,  
Phelps,  
Piper,

Mr. Pratt,  
Pringle,  
Read,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Warner,  
Wetherby,  
Winans,  
Woodman,  
Wright,  
Speaker, 62

## NAYS.

Mr. Ramsdell,

Mr. Wallin,

Mr. J. B. Wilson, 8

Title agreed to.

House bill No. 115, entitled

A bill in relation to assignments, and to compel assignees to give security,

eration, and have instructed their chairman to report the same back with an amendment, and when so amended, recommend that the same do pass.

W. T. HOWELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The bill was placed on the order of third reading.

The select committee to whom was referred House bill No. 70, entitled

A bill to provide for the floating of logs and timber in the streams of this State,

Have had the same under consideration, and beg leave to report that they find some of the provisions of the said bill to be unconstitutional, and other parts of it more or less defective. They therefore report the accompanying substitute, and recommend its adoption; and when so adopted, recommend that it do pass, and ask to be discharged from the further consideration of the subject.

Respectfully submitted.

B. L. HILL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The substitute offered by the committee was adopted.

On motion of Mr. Hill,

The bill was placed on the order of third reading.

#### MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, March 4, 1861. }

*To the House of Representatives:*

I have approved and deposited in the office of the Secretary of State the following:

An act to amend sections 8, 9, 16 and 18, of chapter 94, of the revised statutes of 1846, the same being chapter 118 compiled laws, relative to criminal proceedings before justices of the peace;

Also,

An act to amend section 5 of an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853;

Also,

An act entitled an act to organize the township of Hamlin, in the county of Mason;

Also,

An act to locate and establish the county seat of Mason county;

Also,

An act to authorize certain highways to be laid out less than four rods wide;

Also,

An act to attach certain unorganized territory to the county of Iosco;

Also,

An act to amend an act entitled an act to reorganize the township of Garden Island, and to change the name of said township;

Also,

An act to provide for the preservation of bridges in certain cases;

Also,

An act to provide for holding inquests on the view of dead bodies within the cities of this State by the coroners of the counties in which they are situate;

Also,

An act entitled an act to authorize the conveyance of certain portions of section 16, township 1 south, of range 11 west, in the county of Kalamazoo;

Also,

An act to amend section 33, chapter 109, of the revised statutes of 1846, being section 4648 of the compiled laws, relative to partition of lands owned by several persons;

Also,

Cutcheon,  
A. W. Davis,  
G. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,

Kanouse,  
Leetch,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Piper,  
Pratt,

Toll,  
Wade,  
Wallin,  
Warner,  
T. M. Wilson,  
Winans,  
Woodman,  
Wright,  
Speaker,

65

NAYS.

0

Title agreed to.

On motion of Mr. Gilbert,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 11, entitled

A bill to amend sections 4339, 4340, 4341 and 4342, of the compiled laws,

Was read a third time, and pending the taking of the vote on its passage,

Mr. Pringle moved to recommit the bill to the committee on the judiciary, with instructions to amend by striking out at the end of section 2 the words: "but any such defendant shall be at liberty to make a statement to the court or jury and may be cross-examined upon such statement;"

Mr. Pringle demanded the yeas and nays on the motion to recommit.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Adams,  
Choate,  
Cox,  
Crego,  
Follett,  
Foote,  
N. K. Green,

Mr. Hadley,  
Hurd,  
Piper,  
Pratt,  
Pringle,  
Smith,  
A. Stevens,

Mr. Stewart,  
Stoddard,  
Warner,  
Winans,  
Woodman,  
Wright,

20

NAYS.

Mr. Alexander,  
Atwood,

Mr. Goodrich,  
Gregory,

Mr. Peters,  
Phelps,

|              |            |               |
|--------------|------------|---------------|
| Beamer,      | Haire,     | Ramsdell,     |
| Blakeslee,   | Henderson, | Read,         |
| Brownell,    | Hill,      | Sessions,     |
| Chase,       | Hodges,    | Shank,        |
| Childs,      | Hood,      | Shanahan,     |
| Cooley,      | Howell,    | Strong,       |
| Cutcheon,    | Joy,       | Taylor,       |
| A. W. Davis, | Kanouse,   | Tibbits,      |
| C. Davis,    | Leetch,    | Toll,         |
| Ira Davis,   | Lockwood,  | Wade,         |
| Douglas,     | Miller,    | Wallin,       |
| Fallass,     | Morrison,  | Wheeler,      |
| Fowle,       | Moore,     | T. M. Wilson, |
| Gilbert,     | Persons,   | Speaker, 48   |

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |             |               |
|----------------|-------------|---------------|
| Mr. Alexander, | Mr. Hadley, | Mr. Ramsdell, |
| Atwood,        | Haire,      | Read,         |
| Beamer,        | Henderson,  | Sessions,     |
| Brownell,      | Hill,       | Shank,        |
| Chase,         | Hodges,     | Shanahan,     |
| Childs,        | Howell,     | Smith,        |
| Cooley,        | Hurd,       | Strong,       |
| Cutcheon,      | Joy,        | Taylor,       |
| A. W. Davis,   | Kanouse,    | Tibbits,      |
| C. Davis,      | Leetch,     | Toll,         |
| Ira Davis,     | Lockwood,   | Wade,         |
| Douglas,       | Morrison,   | Wetherby,     |
| Fallass,       | Moore,      | Wheeler,      |
| Follett,       | Persons,    | T. M. Wilson, |
| Fowle,         | Peters,     | Winans,       |
| Gilbert,       | Peterson,   | Wright,       |
| Goodrich,      | Phelps,     | Speaker, 53   |
| Gregory,       | Piper,      |               |

## NAYS.

|            |              |              |
|------------|--------------|--------------|
| Mr. Adams, | Mr. Foote,   | Mr. Stewart, |
| Blakeslee, | N. K. Green, | Stoddard,    |
| Choate,    | Pratt,       | Warner,      |
| Cox,       | Pringle,     | Woodman,     |
| Orego,     |              | 13           |

Title agreed to.

Senate bill No. 72, entitled

A bill to re-organize the Agricultural College of the State of Michigan, and to establish a State board of agriculture,

Being under consideration,

On motion of Mr. Wallin,

The reading of the bill *in extenso* was dispensed with.

The bill was then read a third time by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|              |                |                |
|--------------|----------------|----------------|
| Mr. Adams,   | Mr. Henderson, | Mr. Sessions,  |
| Beamer,      | Hemingway,     | Shank,         |
| Chase,       | Hill,          | Shanahan,      |
| Childs,      | Hodges,        | Smith,         |
| Cox,         | Hood,          | W. N. Stevens, |
| Crego,       | Hurd,          | Stewart,       |
| Cutcheon,    | Joy,           | Stoddard,      |
| A. W. Davis, | Kanouse,       | Taylor,        |
| C. Davis,    | Miller,        | Tibbits,       |
| Ira Davis,   | Morrison,      | Wade,          |
| Fallass,     | Moore,         | Wallin,        |
| Follett,     | Persons,       | Waterbury,     |
| Foote,       | Peters,        | Wetherby,      |
| Fowle,       | Peterson,      | Wheeler,       |
| Gilbert,     | Phelps,        | T. M. Wilson,  |
| Goodrich,    | Piper,         | J. B. Wilson,  |
| N. K. Green, | Pratt,         | Wright,        |
| Hadley,      | Pringle,       | Speaker,       |
| Haire,       | Read,          |                |

56

## NAYS.

|                |             |                 |
|----------------|-------------|-----------------|
| Mr. Alexander, | Mr. Cooley, | Mr. A. Stevens, |
| Atwood,        | Douglas,    | Strong,         |
| Blakeslee,     | Gregory,    | Toll,           |
| Brownell,      | Howell,     | Warner,         |
| Choate,        | Leetch,     | Winans,         |
| Chapoton,      | Lockwood,   | Woodman,        |

18

Title agreed to.

On motion of Mr. Childs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to incorporate the village of M<sup>akegon</sup>,

Being under consideration,



On motion of Mr. Sessions,

The reading of the bill *in extensio* was dispensed with.

The bill was then read a third time by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|              |                |                |
|--------------|----------------|----------------|
| Mr. Adams,   | Mr. Henderson, | Mr. Sessions,  |
| Beamer,      | Hemingway,     | Shank,         |
| Blakeslee,   | Hill,          | Smith,         |
| Brownell,    | Hood,          | W. N. Stevens, |
| Childs,      | Howell,        | Stewart,       |
| Chapoton,    | Hurd,          | Stoddard,      |
| Cosley,      | Kanouse,       | Taylor,        |
| Crego,       | Leetch,        | Tibbits,       |
| Cutcheon,    | Lockwood,      | Wade,          |
| C. Davis,    | Miller,        | Warner,        |
| Ira Davis,   | Morrison,      | Waterbury,     |
| Douglas,     | Persons,       | Wetherby,      |
| Fallass,     | Peters,        | Wheeler,       |
| Follett,     | Peterson,      | T. M. Wilson,  |
| Foots,       | Phelps,        | J. B. Wilson,  |
| Goodrich,    | Piper,         | Woodman,       |
| Gregory,     | Pratt,         | Wright,        |
| N. K. Green, | Read,          | Speaker,       |
| Hadley,      |                | 55.            |

## NAYS.

|                |            |           |
|----------------|------------|-----------|
| Mr. Alexander, | Mr. Haire, | Mr. Toll, |
| Cox,           | Hodges,    | Winans,   |
|                |            | 6.        |

Title agreed to.

On motion of Mr. Read,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 104, entitled

A bill to organize the county of Delta, and define the boundaries of the same,

Was read a third time, and a majority of all the members elect not voting therefor, was not passed, by yeas and nays, as follows

## YEAS.

|               |           |                |
|---------------|-----------|----------------|
| Mr. Brownell, | Mr. Hurd, | Mr. Smith,     |
| Chase,        | Kanouse,  | W. N. Stevens, |

A bill to re-organize the Agricultural College of the State of Michigan, and to establish a State board of agriculture,

Being under consideration,

On motion of Mr. Wallin,

The reading of the bill *in extenso* was dispensed with.

The bill was then read a third time by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|              |                |                |
|--------------|----------------|----------------|
| Mr. Adams,   | Mr. Henderson, | Mr. Sessions,  |
| Beamer,      | Hemingway,     | Shank,         |
| Chase,       | Hill,          | Shanahan,      |
| Childs,      | Hodges,        | Smith,         |
| Cox,         | Hood,          | W. N. Stevens, |
| Crego,       | Hurd,          | Stewart,       |
| Cutcheon,    | Joy,           | Stoddard,      |
| A. W. Davis, | Kanouse,       | Taylor,        |
| C. Davis,    | Miller,        | Tibbits,       |
| Ira Davis,   | Morrison,      | Wade,          |
| Fallass,     | Moore,         | Wallin,        |
| Follett,     | Persons,       | Waterbury,     |
| Foote,       | Peters,        | Wetherby,      |
| Fowle,       | Peterson,      | Wheeler,       |
| Gilbert,     | Phelps,        | T. M. Wilson,  |
| Goodrich,    | Piper,         | J. B. Wilson,  |
| N. K. Green, | Pratt,         | Wright,        |
| Hadley,      | Pringle,       | Speaker,       |
| Haire,       | Read,          |                |

56

## NAYS.

|                |             |                 |
|----------------|-------------|-----------------|
| Mr. Alexander, | Mr. Cooley, | Mr. A. Stevens, |
| Atwood,        | Douglas,    | Strong,         |
| Blakeslee,     | Gregory,    | Toll,           |
| Brownell,      | Howell,     | Warner,         |
| Choate,        | Leetch,     | Winans,         |
| Chapoton,      | Lockwood,   | Woodman,        |

18

Title agreed to.

On motion of Mr. Childs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to incorporate the village of Mankagon,

Being under consideration,

On motion of Mr. Sessions,

The reading of the bill *in extenso* was dispensed with.

The bill was then read a third time by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|              |                |                |
|--------------|----------------|----------------|
| Mr. Adams,   | Mr. Henderson, | Mr. Sessions,  |
| Beamer,      | Hemingway,     | Shank,         |
| Blakeslee,   | Hill,          | Smith,         |
| Brownell,    | Hood,          | W. N. Stevens, |
| Childs,      | Howell,        | Stewart,       |
| Chapoton,    | Hurd,          | Stoddard,      |
| Coeley,      | Kanouse,       | Taylor,        |
| Crego,       | Leetch,        | Tibbits,       |
| Cutcheon,    | Lockwood,      | Wade,          |
| C. Davis,    | Miller,        | Warner,        |
| Ira Davis,   | Morrison,      | Waterbury,     |
| Douglas,     | Persons,       | Wetherby,      |
| Fallase,     | Peters,        | Wheeler,       |
| Follett,     | Peterson,      | T. M. Wilson,  |
| Foote,       | Phelps,        | J. B. Wilson,  |
| Goodrich,    | Piper,         | Woodman,       |
| Gregory,     | Pratt,         | Wright,        |
| N. K. Green, | Read,          | Speaker,       |
| Hadley,      |                |                |

55.

## NAYS.

|                |            |           |
|----------------|------------|-----------|
| Mr. Alexander, | Mr. Haire, | Mr. Toll, |
| Cox,           | Hodges,    | Winans,   |

6.

Title agreed to.

On motion of Mr. Read,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 104, entitled

A bill to organize the county of Delta, and define the boundaries of the same,

Was read a third time, and a majority of all the members elect not voting therefor, was not passed, by yeas and nays, as follows

## YEAS.

|               |           |                |
|---------------|-----------|----------------|
| Mr. Brownell, | Mr. Hurd, | Mr. Smith,     |
| Chase,        | Kanouse,  | W. N. Stevens, |

Choate,  
Chapoton,  
Cutcheon,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Goodrich,  
Gregory,  
Henderson,  
Hill,

Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Peterson,  
Phelps,  
Pringle,  
Read,  
Sessions,  
Shank,

A. Stevens,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Waterbury,  
Wetherby,  
J. B. Wilson,  
T. M. Wilson,  
Wright,  
Speaker,

40

## NAYS.

Mr. Adams,  
Alexander,  
Beamer,  
Blakeslee,  
Cooley,  
Cox,  
Crego,  
A. W. Davis,  
C. Davis,  
Fowle,

Mr. Gilbert,  
N. K. Green.  
Hadley,  
Haire,  
Hodges,  
Hood,  
Howell,  
Joy,  
Peterson,  
Peters,

Mr. Piper,  
Shanahan,  
Stewart,  
Toll,  
Wade,  
Wallin,  
Warner,  
Wheeler,  
Winans,  
Woodman, 30

House bill, entitled

A bill to incorporate the village of Lowell,

Being under consideration,

On motion of Mr. Sessions,

The reading of the bill, *in extenso*, was dispensed with.

The bill was then read a third time, by its title, and passed,  
a majority of all the members elect voting therefor, by yeas and  
nays, as follows :

## YEAS.

Mr. Adams,  
Beamer,  
Chase,  
Choate,  
Chapoton,  
Cox,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Fallass,

Mr. Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Leetch,  
Lockwood,  
Morrison,  
Moore,

Mr. Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Waterbury,

Follett,  
Fowle, •  
Gilbert,  
Goodrich,  
Gregory,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,

Persons,  
Peters,  
Peterson,  
Piper,  
Pringle,  
Read,  
Sessions,  
Shank,  
Shanahan,

Wetherby,  
Warner,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Wright,  
Speaker,

59

## NAYS

Mr. Alexander,

Mr. Blakeslee,

2

Title agreed to.

On motion of Mr. Fallass,

By a vote of two-thirds of all the members elect, the bill  
was ordered to take immediate effect.

House bill No. 109, entitled

A bill making the action of trespass transitory in certain cases,

Was read a third time and passed, a majority of, all the  
members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Adams,  
Alexander,  
Atwood,  
Beamer,  
Blakeslee,  
Chase,  
Choate,  
Chapoton,  
Cooley,  
Cox,  
Crego,  
Cutcheon  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,

Mr. Gregory, .  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Leetch,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peterson,  
Phelps,  
Piper,  
Pratt,

Mr. Pringle,  
Read,  
Sessions,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens.  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Waterbury,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Woodman,  
Wright,  
Speaker,

64

## NAYS.

0

The question being upon agreeing to the title,  
Mr. Pringle moved to amend the same by inserting the words  
"trespass on the case" after the word "trespass;"

Which motion prevailed.

The title, as amended, was then agreed to.

On motion of Mr. Howell,

By a vote of two-thirds of all the members elect, the bill was  
ordered to take immediate effect.

House bill No. 10, entitled

A bill to amend section 1 of an act entitled an act to amend  
chapter 150, of the revised statutes of 1846, it being chapter  
175 of the compiled laws, and to authorize the salaries of judges  
of probate,

Was read a third time and passed, a majority of all the mem-  
bers elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|              |           |                |
|--------------|-----------|----------------|
| Mr. Adams,   | Mr. Hill, | Mr. Smith,     |
| Alexander,   | Howell,   | W. N. Stevens, |
| Atwood,      | Hurd,     | A. Stevens,    |
| Beamer,      | Joy,      | Stewart,       |
| Chase,       | Kanouse,  | Stoddard,      |
| Choate,      | Lockwood, | Strong,        |
| Chapoton,    | Morrison, | Tibbits,       |
| Cooley,      | Moore,    | Toll,          |
| Crego,       | Persons,  | Wade,          |
| Outcheon,    | Peters,   | Wallin,        |
| C. Davis,    | Peterson, | Warner,        |
| Ira Davis,   | Phelps,   | Waterbury,     |
| Douglas,     | Piper,    | Wetherby,      |
| Follett,     | Pratt,    | Wheeler,       |
| Fowle,       | Pringle,  | T. M. Wilson,  |
| Gilbert,     | Read,     | J. B. Wilson,  |
| Goodrich,    | Sessions, | Winans,        |
| Gregory,     | Shank,    | Wright,        |
| N. K. Green, | Shanahan, | Speaker,       |
| Henderson,   |           |                |

58

#### NAYS.

|                |            |           |
|----------------|------------|-----------|
| Mr. Blakeslee, | Mr. Foote, | Mr. Hood, |
| Cox,           | Hadley,    | Miller,   |
| A. W. Davis,   | Haire,     | Taylor,   |
| Fallass,       | Hodges,    | Woodman,  |

12

Title agreed to.

Mr. Hodges moved that the House adjourn;

Which motion did not prevail.

House bill, entitled

A bill to prevent the adulteration of coal oils,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

# YEAS.

|              |            |                |
|--------------|------------|----------------|
| Mr. Adams,   | Mr. Haire, | Mr. Sessions,  |
| Alexander,   | Henderson, | Shank,         |
| Atwood,      | Hill,      | Shanahan,      |
| Beamer,      | Hodges,    | Smith,         |
| Blakeslee,   | Howell,    | W. N. Stevens, |
| Bunce,       | Hurd,      | A. Stevens,    |
| Chase,       | Joy,       | Stewart,       |
| Choate,      | Kanouse,   | Stoddard,      |
| Chapoton,    | Kelsey,    | Strong         |
| Cooley,      | Leetch,    | Taylor,        |
| Cox,         | Lockwood,  | Tibbits,       |
| Crego,       | Miller,    | Wade,          |
| A. W. Davis, | Morrison,  | Wallin,        |
| C. Davis,    | Moore,     | Warner,        |
| Ira Davis,   | Persons,   | Waterbury,     |
| Fallass,     | Peters,    | Wetherby,      |
| Follett,     | Peterson,  | T. M. Wilson,  |
| Fowle,       | Phelps,    | J. B. Wilson,  |
| Gilbert,     | Piper,     | Winans,        |
| Goodrich,    | Pratt,     | Woodman,       |
| Gregory,     | Pringle,   | Wright,        |
| N. K. Green, | Read,      | Speaker,       |
| Hadley,      |            |                |

67

# NAYS.

Mr. Cutcheon,

1

Title agreed to.

On motion of Mr. Phelps,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Gregory,

The House adjourned until this afternoon at 2 o'clock.

## AFTERNOON SESSION.

2 o'clock P. M.

House met pursuant to adjournment, and was called to order by the Speaker.

Roll called : quorum present.

The House resumed business under the order of

## THIRD READING OF BILLS AND JOINT RESOLUTIONS.

The question being upon the passage of House bill No. 169, entitled

A bill to amend an act entitled an act to incorporate the city of Lansing, approved February 15th, 1859 ;

Mr. Atwood moved to recommit the bill to the committee on banks and incorporations, with instructions to strike out recited section 3 ;

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion to recommit did not prevail, by yeas and nays, as follows :

## YEAS.

|            |                  |               |    |
|------------|------------------|---------------|----|
| Mr. Adams, | Mr. A. W. Davis, | Mr. Stoddard, |    |
| Atwood,    | Haire,           | Strong,       |    |
| Childs,    | Kanouse,         | Toll,         |    |
| Cooley,    | Shanahan,        | Wade,         |    |
| Crego,     | Stewart,         | Wetherby,     | 15 |

## NAYS.

|                |             |                |
|----------------|-------------|----------------|
| Mr. Alexander, | Mr. Hadley, | Mr. Pringle,   |
| Baker,         | Henderson,  | Read,          |
| Beamer,        | Hemingway,  | Sessions,      |
| Blakeslee,     | Hodges,     | Shank,         |
| Bunce,         | Hood,       | Smith,         |
| Chase,         | Howell,     | W. N. Stevens, |
| Choate,        | Hurd,       | A. Stevens,    |
| Chapton,       | Joy,        | Taylor,        |
| Cox,           | Lockwood,   | Tibbits,       |
| Cutcheon,      | Morrison,   | Wallin,        |
| Ira Davis,     | Moore,      | Warner,        |
| Follett,       | Persons,    | T. M. Wilson,  |
| Fowle,         | Peters,     | J. B. Wilson,  |
| Gilbert,       | Peterson,   | Winans,        |
| Goodrich,      | Phelps,     | Woodman,       |
| Gregory,       | Piper,      | Speaker,       |
| N. K. Green,   | Pratt,      |                |



The question recurring upon the passage of the bill, a majority of all the members elect voting therefor, it was passed, by yeas and nays, as follows :

## YEAS.

|                |             |               |
|----------------|-------------|---------------|
| Mr. Alexander, | Mr. Hadley, | Mr. Shank     |
| Baker,         | Hemingway,  | Smith,        |
| Beamer,        | Hodges,     | W. N. Stevens |
| Blakeslee,     | Hood,       | Strong,       |
| Bunce,         | Howell,     | Taylor,       |
| Chase,         | Hurd,       | Tibbits,      |
| Childs,        | Kanouse,    | Toll,         |
| Choate,        | Morrison,   | Wade,         |
| Chapoton,      | Moore,      | Wallin,       |
| Cook,          | Persons,    | Warner,       |
| Oox,           | Peters,     | Waterbury,    |
| Crego,         | Peterson,   | Wetherby,     |
| Ira Davis,     | Phelps,     | Wheeler,      |
| Follett,       | Piper,      | T. M. Wilson, |
| Fowle,         | Pratt,      | J. B. Wilson, |
| Goodrich,      | Ramsdell,   | Winans,       |
| Gregory,       | Read,       | Wright,       |
| N. K. Green,   | Sessions,   | Speaker, 54   |

## NAYS.

|              |            |               |
|--------------|------------|---------------|
| Mr. Adams,   | Mr. Haire, | Mr. Shanahan, |
| Atwood,      | Henderson, | Stewart,      |
| Outcheon,    | Joy,       | Stoddard,     |
| A. W. Davis, | Lockwood,  | Woodman,      |
| Gilbert,     | Miller,    | 14            |

Title agreed to.

On motion of Mr. Shank,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 59, entitled

A bill to incorporate the village of Constantine,

Being under consideration,

On motion of Mr. Howell,

The reading of the bill *in extenso*, was dispensed with.

The bill was then read a third time, by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|            |                  |                |
|------------|------------------|----------------|
| Mr. Adams, | Mr. N. K. Green, | Mr. Sessions,  |
| Alexander, | Hadley,          | Shank,         |
| Baker,     | Hemingway,       | Shanahan,      |
| Beamer,    | Hodges,          | Smith,         |
| Blakeslee, | Hood,            | W. N. Stevens, |
| Bunce,     | Howell,          | Stewart,       |
| Chase,     | Hurd,            | Stoddard,      |
| Childs,    | Jey,             | Strong,        |
| Choate,    | Kanouse,         | Taylor,        |
| Chapoton,  | Leetch,          | Tibbits,       |
| Cooley,    | Lockwood,        | Toll,          |
| Cox,       | Morrison,        | Wade,          |
| Crego,     | Moore,           | Warner,        |
| Cutcheon,  | Persons,         | Wheeler,       |
| C. Davis,  | Peterson,        | T. M. Wilson,  |
| Ira Davis, | Phelps,          | J. B. Wilson,  |
| Follett,   | Piper,           | Woodmand,      |
| Fowle,     | Ramsdell,        | Wright,        |
| Goodrich,  | Read,            | Speaker,       |
| Gregory,   |                  |                |

58

## NAYS.

|            |             |             |   |
|------------|-------------|-------------|---|
| Mr. Haire, | Mr. Wallin, | Mr. Winans, | 3 |
|------------|-------------|-------------|---|

Title agreed to.

On motion of Mr. Stewart,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 157, entitled

A bill to establish a State road from Fulkerson's, in Kent county, to White River, in the county of Oceana,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|            |               |                |
|------------|---------------|----------------|
| Mr. Adams, | Mr. Goodrich, | Mr. Shank,     |
| Alexander, | Gregory,      | Shanahan,      |
| Atwood,    | N. K. Green,  | Smith,         |
| Baker,     | Hadley,       | W. N. Stevens, |
| Beamer,    | Haire,        | A. Stevens,    |
| Blakeslee, | Henderson,    | Stewart,       |
| Bunce,     | Hodges,       | Stoddard,      |
| Chase,     | Hood,         | Strong,        |
| Childs,    | Howell,       | Taylor,        |

|              |           |               |
|--------------|-----------|---------------|
| Choate,      | Hurd,     | Tibbits,      |
| Chapoton,    | Joy,      | Tell,         |
| Cooley,      | Kanouse,  | Wade,         |
| Cox,         | Lockwood, | Wallin,       |
| Crego,       | Moore,    | Warner,       |
| Cutcheon,    | Persons,  | Wheeler,      |
| A. W. Davis, | Peters,   | T. M. Wilson, |
| C. Davis,    | Piper,    | J. B. Wilson, |
| Follett,     | Pringle,  | Winans,       |
| Foote,       | Ramsdell, | Woodman,      |
| Fowle,       | Read,     | Wright,       |
| Gilbert,     | Sessions, | Speaker,      |
|              | NAYS.     | 63            |
|              |           | 0             |

Title agreed to.

On motion of Mr. Lockwood,

The House went into committee of the whole on the

#### GENERAL ORDER,

On House bill No. 45, entitled

A bill to repeal chapter 122, of the revised statutes of 1846, and the amendments thereto, and provide for the collection of demands against water-craft,

Mr. Joy in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

1. House bill No. 45, entitled

A bill to repeal chapter 122, of the revised statutes of 1846, and the amendments thereto, and provide for the collection of demands against water-craft,

Have made some amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole also reported that they had had under consideration the following entitled bills:

2. Senate bill No. 30, entitled

A bill to amend sections 404 and 405 of the compiled laws,

being sections 63 and 64 of chapter 10, enabling county clerks to appoint deputies;

3. Senate bill No. 28, entitled

A bill to facilitate trials and other proceedings by jury.

4. House bill No. 123, entitled

A bill to amend sections 4742, 4747 and 4748, of the compiled laws, relating to proceedings against debtors by attachment;

5. House bill No. 122, entitled

A bill to protect the owners of sheep from damage done by dogs;

Have made some amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

JAMES F. JOY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wallin,

The amendments to the first named bill were concurred in, and the bill ordered engrossed for a third reading.

On motion of Mr. Pringle,

The amendments to the second named bill were concurred in, and the bill ordered to a third reading.

On motion of Mr. Lockwood,

The amendments to the third named bill were concurred in, and the bill ordered to a third reading.

On motion of Mr. Sessions,

The amendments to the fourth named bill were concurred in, and the bill ordered engrossed for a third reading.

The question being upon concurring in the amendments made to the fifth named bill,

Mr. Joy moved further to amend the same so as to exempt the city of Detroit from its provisions;

Mr. Gilbert moved to commit the bill to the committee on judiciary, with instructions to so amend the same as to include all the cities in this State in its provisions;

The question being upon committing the bill,

Mr. Wheeler demanded the previous question.

The demand was seconded, and the main question ordered.

The motion to commit the bill with instructions prevailed, and the bill was committed to the committee on judiciary.

Mr. Pringle asked and obtained the unanimous consent of the House to offer the following:

*Resolved*, That the sworn memorial in regard to the affairs of the Peninsular Bank, heretofore presented to this House, be transmitted to the Senate for the consideration of that body;

Which was adopted.

On motion of Mr. A. W. Davis,

The House took a recess until 7½ o'clock this evening.

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EVENING SESSION.

7½ o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Gilbert asked and obtained the unanimous consent of the House to move that Senate bill No. 11, entitled

A bill to amend sections 4339, 4340, 4341 and 4342, of the compiled laws, in relation to the competency of witnesses, and examination of parties, in certain cases,

Be ordered to take immediate effect;

Which motion prevailed, and, by a vote of two-thirds of all the members elect, it was so ordered.

SPECIAL ORDER OF THE DAY,

Being the consideration of House bill No. 132, entitled

A bill to amend chapter 75 of the compiled laws, by adding five new sections, to be numbered sections 25, 26, 27, 28 and 29, to provide for the homœopathic department in the University of Michigan,

Mr. Morrison moved that the bill be ordered to a third reading;

Which motion prevailed.

Mr. Hemingway moved that the bill be put on its final passage.

Mr. Fowle demanded the yeas and nays.

The demand was seconded, and the motion to order the bill to a third reading prevailed, by yeas and nays, as follows :

## YEAS.

|                |                |               |
|----------------|----------------|---------------|
| Mr. Blakeslee, | Mr. Hemingway, | Mr. Read,     |
| Bunce,         | Hill,          | Shank,        |
| Chase,         | Hodges,        | Shanahan,     |
| Choate,        | Hood,          | Smith,        |
| Chapoton,      | Howell,        | Stoddard,     |
| Cooley,        | Kanouse,       | Strong,       |
| Cox,           | Leetch,        | Taylor,       |
| Crego,         | Miller,        | Tibbits,      |
| A. W. Davis,   | Morrison,      | Wade,         |
| C. Davis,      | Moore,         | Wallin,       |
| Ira Davis,     | Persons,       | Waterbury,    |
| Fowle,         | Peters,        | Wetherby,     |
| Gilbert,       | Phelps,        | T. M. Wilson, |
| Haire,         | Piper,         | J. B. Wilson, |
| Henderson,     | Pratt,         | Wright, 45    |

## NAYS.

|            |              |                |
|------------|--------------|----------------|
| Mr. Adams, | Mr. Fallass, | Mr. Pringle,   |
| Alexander, | Follett,     | Sessions,      |
| Baker,     | Foots,       | W. N. Stevens, |
| Beamer,    | N. K. Green, | Stewart,       |
| Brownell,  | Hadley,      | Toll,          |
| Childs,    | Hurd,        | Winans,        |
| Cutcheon,  | Joy,         | Speaker, 22    |
| Douglas,   | Lockwood,    |                |

Mr. Morrison moved a call of the House;

Which motion prevailed.

The clerk called the roll, and Messrs. Atwood, Goegory, Peterson, A. Stevens and Warner were reported absent without leave.

On motion of Mr. Joy,

Mr. Peterson was excused on account of sickness.

Mr. Sessions moved that all further proceedings under the call be dispensed with ;

Which motion did not prevail.

Mr. Morrison moved that the Sergeant-at-Arms be dispatched after the absentees ;

Which motion prevailed.

The Sergeant at-Arms announced Mr. Atwood at the bar of the House.

On motion of Mr. Wallin,

Mr. Atwood was admitted to his seat without rendering an excuse for absence.

On motion of Mr. Childs,

All further proceedings under the call were dispensed with.

The question being upon the passage of the bill,

On motion of Mr. Howell, the reading of the bill *in extenso*, was dispensed with.

The bill was then read a third time, by its title, and pending the taking of the vote,

Mr. Childs moved that the further consideration of the subject be postponed until to-morrow evening at 7½ o'clock ;

Mr. Howell demanded the yeas and nays.

The demand was seconded.

Mr. A. W. Davis moved a call of the House ;

Which motion prevailed.

Upon the call of the roll by the Clerk, Messrs. Gregory, Moore, A. Stevens, Toll, Wetherby, J. B. Wilson and Winans were reported absent without leave.

On motion of Mr. Wallin,

All further proceedings under the call were dispensed with.

The question being upon the motion to postpone the further consideration of the bill until to-morrow evening,

Mr. Alexander demanded the previous question.

The demand was seconded, and the main question ordered.

The motion to postpone did not prevail, by yeas and nays, as follows :

#### YEAS.

Mr. Beamer,  
Chase,  
Childs,  
Grego,

Mr. Fallass,  
Follett,  
Lockwood,  
Stewart,

Mr. Strong,  
Wade,  
Wheeler,

11

#### NAYS.

Mr. Adams,  
Alexander,

Mr. L. Green,  
N. K. Green,

Mr. Phelps,  
Piper,

|              |            |                |
|--------------|------------|----------------|
| Atwood,      | Hadley,    | Pratt,         |
| Baker,       | Haire,     | Pringle,       |
| Blakeslee,   | Henderson, | Sessions,      |
| Brownell,    | Hemingway, | Shank,         |
| Bunce,       | Hill,      | Shannahan,     |
| Choate,      | Hodges,    | Smith,         |
| Cooley,      | Hood,      | W. N. Stevens, |
| Cox,         | Howell,    | Taylor,        |
| Cutcheon,    | Hurd,      | Tibbits,       |
| A. W. Davis, | Joy,       | Wallin,        |
| C. Davis,    | Kaneuse,   | Warner,        |
| Ira Davis,   | Leetch,    | Waterbury,     |
| Douglas,     | Miller,    | T. M. Wilson,  |
| Foote,       | Morrison,  | Woodman,       |
| Fowle,       | Persons,   | Wright,        |
| Goodrich,    | Peters,    | Speaker, 54    |

The question recurring upon the passage of the bill, a majority of all the members elect not voting therefor, it was not passed, by yeas and nays, as follows:

## YEAS.

|                |                |             |
|----------------|----------------|-------------|
| Mr. Alexander, | Mr. Henderson, | Mr. Phelps, |
| Blakeslee,     | Hemingway,     | Piper,      |
| Bunce,         | Hill,          | Smith,      |
| Chase,         | Hodges,        | Stoddard,   |
| Cooley,        | Hood,          | Strong,     |
| Cox,           | Howell,        | Taylor,     |
| Crego,         | Kaneuse,       | Tibbits,    |
| A. W. Davis,   | Leetch,        | Wade,       |
| C. Davis,      | Miller,        | Warner,     |
| Ira Davis,     | Morrison,      | Waterbury,  |
| Fowle,         | Persons,       | Wheeler,    |
| Goodrich,      | Peters,        | Wright,     |
| Haire,         |                |             |

37

## NAYS.

|            |              |                |
|------------|--------------|----------------|
| Mr. Adams, | Mr. Foote,   | Mr. Sessions,  |
| Baker,     | A. L. Green, | Shank,         |
| Beamer,    | N. K. Green, | Shannahan,     |
| Brownell,  | Hadley,      | W. N. Stevens, |
| Childs,    | Hurd,        | Stewart,       |
| Choate,    | Joy,         | Wallin,        |
| Cutcheon,  | Lockwood,    | T. M. Wilson,  |
| Douglas,   | Pratt,       | Woodman,       |



Fallass,  
Follett,

Pringle,

Speaker,

23

On motion of Mr. Pratt,

The House adjourned till to-morrow morning at 9 o'clock.

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*Lansing, Wednesday, March 6, 1861.*

House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Vibbert.

Roll called: quorum present.

REPORTS OF STANDING COMMITTEES.

By the committee on ways and means:

The committee on ways and means, to whom was referred a joint resolution entitled

Joint resolution to authorize the Board of State Auditors to audit and allow the claim of William Beard, in the matter of the improvement of navigation over the sand flats of the Muskegon river, and to authorize the Commissioner of the State Land Office to issue patents of State swamp land therefor,

Have had the same under consideration, and have instructed me to report that the said claim exists under a contract made by the State with Brook's uncle, and in virtue of an act to provide for the improvement of the navigation over the sand flats of said river, for the improvement of the same; that by the terms of said act and contract the amount agreed to be paid out for said improvement was to be paid out of the internal improvement fund, which was not then apparently supposed to be exhausted, and it was by section 13 of said act expressly provided that no money should be drawn from the general fund in the treasury for that purpose, nor should the State be held liable for any contract growing out of the said improvement, except as therein provided—that is, by payment from the internal improvement fund.

The contract was made with said Brooks to do the work for \$50,000, and afterwards conveyed to said Beard who seems to

have entered upon the work, and completed the same in the belief that there was enough of the internal improvement fund left to pay him therefor. It turned out that that fund had already been exhausted, and that the contract with Brooks was void by reason of his being then a member of the Legislature, and by the Constitution incapable of contracting with the State for such a work.

Under these circumstances having done the work in good faith, and being ignorant of these circumstances, Beard applies to the Legislature for relief. Under the Constitution it cannot audit or allow the claim, and if it could it has no money with which to pay it. Still, as the work has been done, and his money expended in good faith, and the work is valuable to a large extent of country, and was done under a contract made under an act of the Legislature, it does not seem just and right to the committee that there should be no compensation made to him in these circumstances.

They have concluded therefore to recommend that the resolutions referred to them appropriating swamp lands for this purpose do pass, with a slight amendment which they herewith submit.

J. F. JOY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The House concurred in the amendments made by the committee.

On motion of Mr. Sessions,

The joint resolution was placed on the order of third reading.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to lay out and establish a State road from Traverse city, in Grand Traverse county, via. Elk Rapids, to Little Traverse Bay, in Emmet county, to Duncan, in the county of Cheboygan, and to appropriate swamp lands for the construction of the same,

Have directed me to report that they have had the same un-

der consideration, and have made certain amendments thereto, and as thus amended recommend that the same do pass, and ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

J. C. WATERBURY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Ramsdell,

The House concurred in the amendments made by the committee.

On motion of Mr. Howell,

The bill was ordered printed, and made the special order for to-morrow afternoon, at 2 o'clock.

By the judiciary committee:

The committee on the judiciary, to whom was re-committed Senate bill, entitled

A bill to amend an act entitled an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1849, being chapter 141, compiled laws;

Also, House bill, entitled

A bill to amend section 26 of an act entitled an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1849, being chapter 141 of the compiled laws;

Also, House bill, entitled

A bill to amend chapter 141, compiled laws, relative to proceedings against garnishees;

Respectfully report that they have had the said bills under consideration, and have taken the following action thereon: They have amended the Senate bill by striking two sections therefrom, and by incorporating in their place the bodies of the two House bills. The committee ask the concurrence of the House in their action, recommend that the Senate bill, as amended, do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Tibbits,

The House concurred in the adoption of the substitute.

The bill was then referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }  
Lansing, March 5, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to transmit the following entitled bill :

A bill to divide the State into six congressional districts ;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Also the following:

SENATE CHAMBER, }  
Lansing, March 5, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to transmit the following bill :

A bill to amend section 1661, of chapter 52, of compiled laws, in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage,

Which has passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on State affairs. •

Also the following:

SENATE CHAMBER,  
Lansing, March 6, 1861. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit the following entitled bills:

1. A bill to amend an act entitled an act to amend an act to incorporate the village of Kalamazoo, and the acts amendatory thereto, approved April 1st, 1850, and the acts amendatory thereto;
2. A bill to amend an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved February 17, 1857;
3. A bill to incorporate the public school of the city of Adrian;
4. A bill to exempt sewing machines from levy and sale on execution;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and referred to the committee on agriculture and manufactures.

The third named bill was read a first and second time by its title, and referred to the committee on education.

The fourth named bill was read a first and second time by its title, and referred to the committee on judiciary.

Also, the following :

SENATE CHAMBER,  
Lansing, March 6, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bills:

1. A bill granting to the Grand River Valley Railroad Company the right of way across certain State lands, and extending the time for the construction of the same ;

2. A bill appropriating certain swamp lands for opening and improving a road from Capac, in the county of St. Clair, running east to intersect the Brockway and Port Huron plank road in said county ;

Which have passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER.

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and referred to the committee on public lands.

Also the following :

SENATE CHAMBER,  
Lansing, March 6, 1861. }

*To the Speaker of the House of Representatives:*

SIR :—I am instructed to return to the House the following entitled bills:

1. A bill to amend chapter 79 of the revised statutes of 1846, compiled laws, chapter 103, by adding three new sections numbered sections 54, 55 and 56, in relation to redemptions against sales on executions ;

2. A bill to change the name of the township of Newark, in Allegan county, to that of Saugatuck ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, March 6, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bill:

A bill to amend chapter 23 of the compiled laws, relative to obstructions and encroachments of highways,

Which the Senate has amended by striking out the word "sixty," in line 5, sec. 2, and inserting "thirty;" also, in the first line of sec. 3, striking out the word "sixty," and inserting "thirty,"

In the passage of which, as amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Tibbits moved that the House concur in the amendments made by the Senate ;

Which motion did not prevail, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

YEAS.

|              |                |              |
|--------------|----------------|--------------|
| Mr. Atwood,  | Mr. Hemingway, | Mr. Stewart, |
| • Blakeslee, | Hodges,        | Strong,      |
| Chase,       | Hood,          | Taylor,      |
| Choate,      | Joy,           | Tibbits,     |
| Chapton,     | Leetch,        | Toll,        |
| Crego,       | Piper,         | Wade,        |
| Douglas,     | Pringle,       | Warner,      |
| Follett,     | Ramsdell,      | Wetherby,    |
| Fowle,       | Sessions,      | Wheeler,     |

Goodrich,  
N. K. Green,  
Hadley,  
Henderson,

Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,

Winans,  
Woodward,  
Speaker,

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## NAYS.

Mr. Adams,  
Alexander,  
Beamer,  
Bunce,  
Childs,  
Cooley,  
Cutcheon,  
A. W. Davis,  
Ira Davis,  
Fallass,

Mr. Gilbert,  
Gregory,  
Haire,  
Howell,  
Hurd,  
Kanouse,  
Kelsey,  
Lockwood,  
Miller,  
Morrison,

Mr. Persons,  
Peters,  
Peterson,  
Phelps,  
Rankin,  
Read,  
Wallin,  
Waterbury,  
Woodman,  
Wright,

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Also the following:

SENATE CHAMBER,  
Lansing, March 5, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following resolution:

*Resolved*, (if the Senate concur,) That in consideration of the long life of public service of our eminent fellow citizen, Lewis Cass, who has now retired from the scenes of public and political strife, and who, in his last public act, has, by refusal of all complicity with disunionists and traitors, merited the warmest thanks of all his countrymen, the legislature of Michigan, the State he has chosen as his home and final resting place, do hereby extend to him our hearty welcome, and invite him, if it shall suit his convenience, to visit us before the close of this session, to receive our welcome and our thanks, in person.

*Resolved*, That the Governor of this State be requested to transmit a duly certified copy of the foregoing resolution, to General Cass, at Detroit, with such letter as he shall deem proper;

In the passage of which the Senate has not concurred.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Also the following:



SENATE CHAMBER,  
*Lansing, March 5, 1861.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bills:

1. A bill to amend an act entitled an act in relation to the free schools of the city of Detroit, approved February 7, 1857;

Also,

2. A bill to amend certain sections of an act to revise the charter of the city of Ypsilanti, approved Feb. 15, 1859,

Which the Senate has amended by striking out section nine.

In the passage of which, as amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first named bill was referred to the committee on engrossment and enrollment, for enrollment.

Mr. Cutcheon moved that the House concur in the amendments to the second named bill;

Which motion prevailed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|            |             |                |
|------------|-------------|----------------|
| Mr. Adams, | Mr. Hadley, | Mr. Read,      |
| Alexander, | Haire,      | Sessions,      |
| Baker,     | Henderson,  | Shank,         |
| Beamer,    | Hemingway,  | Shanahan,      |
| Blakeslee, | Hodges,     | Smith,         |
| Bunce,     | Hood,       | W. N. Stevens, |
| Chase,     | Howell,     | A. Stevens,    |
| Childs,    | Hurd,       | Stewart,       |
| Choate,    | Joy,        | Strong,        |
| Chapoton,  | Kanouse,    | Taylor,        |
| Cox,       | Kelsey,     | Tibbits,       |
| Orego,     | Leetch,     | Wallin,        |
| Cutcheon,  | Lockwood,   | Warner,        |
| Ira Davis, | Miller,     | Waterbury,     |
| Douglas,   | Morrison,   | Wetherby,      |

Fallass,  
Follett,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,

Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,

Wheeler,  
Winans,  
Woodman,  
Woodward,  
Speaker.

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## NAYS.

0

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Mr. Phelps moved to take from the table House bill, entitled A bill to repeal act No. 177, of the session laws of 1859, being an act further to preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors, approved February 14, 1859;

Which motion prevailed.

- On motion of Mr. Phelps,

The bill was recommitted to the judiciary committee.

Mr. Warner moved the reconsideration of the vote by which House bill No. 104, being

A bill to organize the county of Delta, and define the boundaries thereof,

Was lost on its final passage on yesterday;

Which motion prevailed.

The question recurring on the passage of the bill, it was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Baker,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cox,  
Cutcheon,  
A. W. Davis,  
Ira Davis,  
Douglas,

Mr. A. L. Green,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hurd,  
Kelsey,  
Leetch,  
Lockwood,  
Morrison,  
Moore,  
Peters,  
Petersen,

Mr. Sessions,  
Shank,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Wallin,  
Warner,  
Waterbury,  
J. B. Wilson,

Fallass,  
Follett,  
Foote,  
Goodrich,  
Gregory,

Phelps,  
Pringle,  
Ramsdell,  
Rankin,  
Read,

NAYS.

Winans,  
Woodward,  
Wright,  
Speaker,

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Mr. Adams,  
Alexander,  
Atwood,  
Beamer,  
Cooley,  
Crego,  
O. Davis,  
Fowle,  
Gilbert,

Mr. N. K. Green,  
Hadley,  
Haire,  
Hood,  
Howell,  
Joy,  
Kanouse,  
Miller,  
Persons,

Mr. Piper,  
Shanahan,  
Stewart,  
Toll,  
Wade,  
Wetherby,  
Wheeler,  
Woodman,

26

Title agreed to.

Mr. Warner moved to take from the table House bill No. 103,  
being

A bill to organize the county of Bleeker;

Which motion prevailed.

On motion of Mr. Taylor,

The bill was committed to Mr. Warner as a special committee.

Mr. Baker offered the following:

*Whereas*, The following preamble and resolution passed the Senate yesterday, to wit :

*Whereas*, Great destitution exists among the people of Kansas, on account of the destruction of their crops ;

*And whereas*, The Legislative Assembly of the State of Kansas have urged the importance of Legislative relief from this, and other States ;

*And whereas*, It is impossible, under the Constitution of this State, to introduce any new bill or joint resolution, at this session of the Legislature, for the appropriation of money or other purposes, it is not in the power of this Legislature to grant the desired relief ; therefore

*Resolved*, (the House concurring,) That the Senate and House of Representatives of the State of Michigan earnestly recommend to the people of this State, to take prompt and active steps for raising voluntary contributions for the relief of the

suffering people of Kansas, and thus supply, in some measure, their wants and necessities, which, under other circumstances, would have been granted by the Legislature;

*And whereas*, A resolution has been heretofore introduced in this body contemplating relief to the people of Kansas; therefore

*Resolved*, That the joint resolution for the relief of the people of Kansas, be taken from the table.

On motion of Mr. Baker,

The resolution was laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred House bill, entitled

A bill to amend an act entitled an act for the reclamation of swamp lands by means of State roads and ditches, approved February 12, 1859, by adding additional sections thereto,

Respectfully report that they have had the same under consideration, report a substitute therefor, and when adopted, recommend that it do pass. Your committee most respectfully ask to be discharged from the further consideration of the same.

J. C. WATERBURY, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

#### THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Senate bill No. 117, entitled

A bill to amend chapter 32 of the compiled laws, entitled "of limited partnerships,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Adams,  
Alexander,  
Atwood,  
Baker,  
Beamer,  
Blakeslee,

Mr. Henderson,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Joy,

Mr. Sessions,  
Shanahan,  
Smith,  
W. N. Stevens,  
Stewart,  
Stoddard,

Bunce,  
Chase,  
Choate,  
Cooley,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Fallass,  
Follett,  
Gilbert,  
Goodrich,  
A. L. Green,  
N. K. Green,  
Hadley,  
Haire,

Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Piper,  
Pringle,  
Ramsdell,  
Rankin,  
Read,

Strong,  
Taylor,  
Tibbitts,  
Toll,  
Wade,  
Wallin,  
Waterbury,  
Wetherby,  
Wheeler,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

64

## NAYS.

9

Title agreed to.

House bill, entitled

A bill to amend sections 11, 12 and 13, of chapter 24, of the compiled laws, relative to laying out, altering or discontinuing public roads,

Being under consideration,

On motion of Mr. Wheeler,

The bill was laid on the table.

House bill, entitled

A bill prohibiting the county auditors of Wayne county from allowing any extra compensation for any services rendered to the county beyond what the law provides,

Being under consideration,

Mr. Adams moved to re-commit the bill to the committee on the judiciary, with instructions to provide a manner in which the penalty of death provided for in the bill, should be inflicted.

On motion of Mr. Gilbert,

The whole subject was indefinitely postponed.

House bill No. 70, entitled

A bill to provide for the floating of logs and timber in the streams of this State,

Being under consideration,

Mr. Howell moved to re-commit the bill to the select committee which reported the same;

Which motion prevailed.

House joint resolution No. 10, entitled

Joint resolution to relieve Christopher C. Darling and Leonard Murphy, in the matter of extra work on the Ionia and Houghton lake State swamp land road, and to authorize the Auditor General to draw his warrant on the State Treasurer for the amount herein stated,

Being under consideration,

On motion of Mr. Ramsdell,

The joint resolution was committed to the committee on ways and means.

Senate bill No. 30, entitled

A bill to amend sections 404 and 405 of the compiled laws, being sections 63 and 64 of chapter 10, enabling county clerks to appoint deputies,

Being under consideration,

Mr. Gilbert asked and obtained unanimous consent to amend the same by striking out in line 5, the words "his office," and inserting "the office of the county treasurer."

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adams,  
Alexander  
Atwood,  
Baker,  
Beamer,  
Blakeslee,  
Brownell  
Bunce,  
Chase,  
Childs,  
Choate,  
Cooley,  
Cox,  
Grego,

Mr. Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Joy,  
Kanouse,

Mr. Rankin,  
Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,

|              |           |            |
|--------------|-----------|------------|
| Cutcheon     | Leetch,   | Wallin,    |
| A. W. Davis, | Lockwood, | Warner,    |
| C. Davis,    | Moore,    | Waterbury, |
| Ira Davis,   | Persons,  | Wetherby,  |
| Douglas,     | Peters,   | Wheeler,   |
| Fallass,     | Peterson, | Winans,    |
| Follett,     | Phelps,   | Woodman,   |
| Foots,       | Piper,    | Wright,    |
| Fowle,       | Pringle,  | Speaker,   |
| Gilbert,     |           |            |

80

## NAYS.

0

Title agreed to.

Senate bill No. 28, entitled

A bill to facilitate trials and other proceedings by jury,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|              |              |                |
|--------------|--------------|----------------|
| Mr. Adams,   | Mr. Gregory, | Mr. Rankin,    |
| Alexander,   | A. L. Green, | Read,          |
| Atwood,      | N. K. Green, | Sessions,      |
| Baker,       | Hadley,      | Shank,         |
| Beamer,      | Haire,       | Shanahan,      |
| Blakeslee,   | Henderson,   | Smith,         |
| Brownell,    | Hill,        | W. N. Stevens, |
| Bunce,       | Hood,        | Stewart,       |
| Chase,       | Howell,      | Stoddard,      |
| Childs,      | Hurd,        | Strong,        |
| Choate,      | Joy,         | Taylor,        |
| Cox,         | Kanouse,     | Tibbits,       |
| Crego,       | Leetch,      | Toll,          |
| Cutcheon,    | Lockwood,    | Wade,          |
| A. W. Davis, | Miller,      | Wallin,        |
| C. Davis,    | Morrison,    | Warner,        |
| Ira Davis,   | Moore,       | Waterbury,     |
| Douglas,     | Persons,     | Wetherby,      |
| Fallass,     | Peters,      | Wheeler,       |
| Follett,     | Peterson,    | Winans,        |
| Foots,       | Phelps,      | Woodward,      |
| Fowle,       | Piper,       | Wright,        |
| Gilbert,     | Pringle,     | Speaker,       |
| Goodrich,    | Ramsdell,    |                |

71

## NAYS.

0

Title agreed to.

House bill No. 78, entitled

A bill giving to lumbermen a lien on logs and lumber, for their personal services.

Being under consideration,

Mr. Sessions moved the previous question on the passage of the bill.

Which motion was seconded, and the main question ordered.

The bill was then read a third time and a majority of all the members elect not voting therefor, it was not passed, by yeas and nays, as follows :

#### YEAS.

|              |             |               |
|--------------|-------------|---------------|
| Mr. Baker,   | Mr. Hodges, | Mr. Ramadell, |
| Blakeslee,   | Hood,       | Rankin,       |
| Chase,       | Howell,     | Sessions,     |
| Childs,      | Hurd,       | Shanahan,     |
| Cox,         | Kanouse,    | Stewart,      |
| Cutcheon,    | Leetch,     | Stoddard,     |
| A. W. Davis, | Morrison,   | Taylor,       |
| Follett,     | Moore,      | Tibbits,      |
| Fowle,       | Persons,    | Toll,         |
| Goodrich,    | Peters,     | Wetherby,     |
| A. L. Green, | Peterson,   | Wheeler,      |
| N. K. Green, | Phelps,     | Wright,       |
| Henderson,   | Piper,      |               |

38

#### NAYS.

|            |              |                    |
|------------|--------------|--------------------|
| Mr. Adams, | Mr. Fallass, | Mr. W. N. Stevens, |
| Alexander, | Foote,       | A. Stevens.        |
| Atwood,    | Gilbert,     | Strong,            |
| Beamer,    | Gregory,     | Wade,              |
| Brownell,  | Hadley,      | Wallin,            |
| Bunce,     | Haire,       | Warner,            |
| Choate,    | Joy,         | Waterbury,         |
| Chapoton,  | Lockwood,    | J. B. Wilson,      |
| Cooley,    | Miller,      | Winans,            |
| Crego,     | Pringle,     | Woodman,           |
| C. Davis,  | Read,        | Woodward,          |
| Ira Davis, | Shank,       | Speaker,           |
| Douglas,   | Smith,       |                    |

38

Mr. Alexander moved to reconsider the vote just taken ;

Mr. Crego moved to lay the motion to reconsider on the table;

Mr. Howell demanded the yeas and nays;



The demand was seconded, and the motion to lay on the table did not prevail, by yeas and nays, as follows :

## YEAS.

|            |              |                    |
|------------|--------------|--------------------|
| Mr. Adams, | Mr. Gilbert, | Mr. W. N. Stevens, |
| Atwood,    | Gregory,     | A. Stevens,        |
| Beamer,    | Hadley,      | Strong,            |
| Brownell,  | Haire,       | Wade,              |
| Bunce,     | Joy,         | Wallin,            |
| Choate,    | Kelsey,      | Warner,            |
| Chapoton,  | Miller,      | Waterbury,         |
| Cooley,    | Pringle,     | Winans,            |
| Crego,     | Read,        | Woodman,           |
| Ira Davis, | Shank,       | Woodward,          |
| Footc,     |              |                    |

81

## NAYS.

|                |                |               |
|----------------|----------------|---------------|
| Mr. Alexander, | Mr. Henderson, | Mr. Ramsdell, |
| Baker,         | Hodges,        | Rankin,       |
| Blakeslee,     | Hood,          | Sessions,     |
| Chase,         | Howell,        | Shanahan,     |
| Childs,        | Hurd,          | Smith,        |
| Cox,           | Kanouse,       | Stewart,      |
| Cutcheon,      | Leetch,        | Stoddard,     |
| A. W. Davis,   | Lockwood,      | Taylor,       |
| O. Davis,      | Morrison,      | Tibbits,      |
| Douglas,       | Moore,         | Toll,         |
| Fallass,       | Persons,       | Wetherby,     |
| Follett,       | Peters,        | Wheeler,      |
| Fowle,         | Peterson,      | J. B. Wilson, |
| Goodrich,      | Phelps,        | Wright,       |
| A. L. Green,   | Piper,         | Speaker,      |
| N. K. Green,   |                |               |

46

The question recurring upon the motion to reconsider the vote on the passage of the bill, it prevailed.

On motion of Mr. Alexander,

The bill was recommitted to the select committee that reported the same.

Senate bill No. 120, entitled

A bill to authorize the people of Gratiot and other new counties to work out the amount of their indebtedness to the State on the highways in said counties,

Was read a third time and passed, a majority of all the members elect voting therefor, as follows :

## YEAS.

Mr. Adams,  
Alexander,  
Atwood,  
Beamer,  
Bunce,  
Chase,  
Childs,  
Cooley,  
Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Fellett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,

Mr. A. L. Green,  
N. K. Green,  
Hadley,  
Haire,  
Hill,  
Hodges,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Ramsdell,

Mr. Rankin,  
Read,  
Shank,  
Shanahan,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Waterbury,  
Wetherby,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Speaker,

61

## NAYS.

0

Title agreed to.

On motion of Mr. Childs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Gilbert moved a call of the House;

Which motion prevailed.

The clerk called the roll, and Messrs. Chase, Cooley, Henderson, Hemingway, Howell, Pratt, Wallin, Wheeler and T. M. Wilson, were reported absent without leave.

On motion of Mr. Tibbits,

The Sergeant-at-Arms was dispatched after the absentees.

After a short absence the Sergeant-at-Arms announced Messrs. Chase and Henderson at the bar of the House.

On motion of Mr. Tibbits,

The gentlemen were admitted inside the bar, rendered their excuse for absence without leave, which was accepted by the House, and they were admitted to their seats.

Mr. Sessions moved that all further proceedings under the call be dispensed with.

Which motion did not prevail.

The Sergeant-at-Arms announced Messrs. Howell and Cooley at the bar of the House.

On motion of Mr. Childs,

The gentlemen were admitted within the bar to render an excuse for absence without leave.

Mr. Howell requested that they might have until 2 o'clock to prepare an excuse in writing.

Mr. Alexander moved that the request be granted.

Mr. Wade moved as a substitute that five minutes be granted the gentlemen to render an excuse;

Which motion did not prevail.

The original motion was not adopted.

The gentlemen then rendered an excuse for absence, which was accepted by the House, and they were admitted to their seats.

The Sergeant-at-Arms announced Mr. Wallin at the bar of the House;

On motion of Mr. Gregory,

Mr. Wallin was admitted within the bar to render his excuse for absence without leave.

Mr. Wallin's excuse was thereupon rendered, accepted, and he was admitted to his seat.

On motion of Mr. Morrison,

All further proceedings under the call were dispensed with.

On motion of Mr. Howell,

The House adjourned until 2 o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

## SPECIAL ORDER OF THE DAY.

The House proceeded to the consideration of amended House bill, entitled

A bill to apportion anew the Representatives among the several counties and districts of this State.

Mr. Pratt moved that the bill be read ;

Which motion prevailed.

After the reading thereof by the Clerk,

Mr. Pratt moved to amend the same, by striking out all after the enacting clause, and inserting the following :

Sec. 1. That the House of Representatives shall hereafter be composed of members elected agreeable to a ratio of one representative for every nine thousand two hundred white persons, and civilized persons of Indian descent, not members of any tribe, in each organized county, and one representative for a fraction equal to a moiety of said ratio, and not included therein, that is to say: Within the county of Wayne, eight; within the counties of Lenawee, Washtenaw and Oakland, four each; within the counties of Hillsdale, Calhoun, Jackson, Kent, Macomb, Kalamazoo and St. Clair, three each; within the counties of Monroe, Branch, St. Joseph, Cass, Berrien, Livingston, Ingham, Eaton, Allegan, Ben Buren, Ionia, Barry, Lapeer, Clinton and Genesee, two each; within the counties of Ottawa, Sanilac, Shiawassee, Saginaw, Ontonagon, Tuscola, Huron and Houghton, one each; the counties of Gratiot, Midland and Gladwin, shall compose a representative district, and be entitled to one representative, the election returns of which said district shall be made to the county seat of Gratiot; the counties of Montcalm, Isabella and Clare, shall compose a representative district, and be entitled to one representative, the election returns of which said district shall be made to the county seat of Montcalm; the counties of Muskegon and Oceana shall compose a representative district, and be entitled to one representative, the election returns of which said district shall be made to the county seat of Muskegon; the counties of Manistee, Wexford, Missaukee, Kalkaska, Antrim, Leelanaw,

Grand Traverse, Crawford and Otsego, shall compose a representative district, and be entitled to one representative, the election returns of which said district shall be made to the county seat of Grand Traverse county; the counties of Bay, Iosco, Ogemaw, Roscommon, Alcona, Alpena, Montmorency, Presque Isle, Oscoda, Emmet and Cheboygan, shall compose a representative district, and be entitled to one representative, the election returns of which said district shall be made to the county seat of Bay county; the counties of Marquette, Delta and Kewenaw shall compose a representative district, and be entitled to one representative, the election returns of which said district shall be made to the county seat of Marquette county; the counties of Mackinac, Manitou, Schoolcraft and Chippewa, shall compose a representative district, and be entitled to one representative, the election returns of which said district shall be made to the county seat of Mackinac; the counties of Newaygo, Mecosta, Osceola, Lake and Mason, shall compose a representative district, and be entitled to a representative, the election returns of which said district shall be made to the county seat of Newaygo.

Mr. A. Stevens offered the following substitute:

A bill to apportion anew the Representatives among the several counties and districts of this State;

Sec. 1. *The people of the State of Michigan enact*, That the House of Representatives shall hereafter be composed of members elected agreeable to a ratio of one Representative for every ten thousand white persons, and civilized persons of Indian descent, not members of any tribe, in each organized county, and one Representative for a fraction equal to a moiety of said ratio, and not included therein, except as otherwise provided herein, that is to say: within the county of Wayne, eight; within the counties of Lenawee, Washtenaw and Oakland, four each; within the counties of Hillsdale, Calhoun, Jackson, Kent and St. Clair, three each; within the counties of Monroe, Branch, St. Joseph, Cass, Berrien, Kalamazoo, Livingston, Ingham, Eaton, Allegan, Van Buren, Macomb, Ionia and Genesee, two each;

within the counties of Barry, Ottawa, Lapeer, Sanilac, Clinton, Shiawassee, Saginaw, Houghton, Muskegon, Tuscola, Huron and Ontonagon, one each; the counties of Gratiot and Isabella shall compose a representative district, and be entitled to one representative, the election returns of which said district shall be made in the county of Gratiot; the counties of Montcalm, Mecosta and Osceola shall compose a representative district, and be entitled to one representative, the election returns of which said district shall be made to the county seat of Montcalm; the counties of Newaygo and Oceana shall compose a representative district, and be entitled to one representative, the election returns of which said district shall be made to the county seat of Newaygo; the counties of Mason, Lake, Manistee, Wexford and Missaukee shall compose a representative district, and be entitled to one representative, the election returns of which said district shall be made to the county seat of Manistee; the counties of Kalkaska, Antrim, Lelenaw, Grand Traverse, Emmet, Crawford and Otsego shall compose a representative district, and be entitled to one representative, the election returns of which said district shall be made to the county seat of Grand Traverse county; the counties of Bay, Arenac, Iosco, Ogemaw and Roscommon shall compose a representative district, and be entitled to one representative, the election returns of which said district shall be made to the county seat of Bay county; the counties of Midland, Gladwin and Clare shall constitute a representative district, and be entitled to one representative, the election returns of which said district shall be made to the county seat of Midland county; the counties of Oscoda, Alcona, Alpena, Montmorency, Presque Isle and Cheboygan shall compose a representative district, and be entitled to one representative, the election returns of which said district shall be made to the county seat of Alpena county; the counties of Marquette, Schoolcraft and Delta shall compose a representative district, and be entitled to one representative, the election returns of which said district shall be made to the county seat of Marquette county; the counties of Mackinac,

Manitou and Chippewa shall compose a representative district, and be entitled to one representative, the election returns of which said district shall be made to the county seat of Mackinac;

The question being upon the adoption of the substitute,

Mr. Warner moved to recommit the bill to the committee on State affairs, with instructions to report a bill in lieu thereof, making the number of representatives the same as it is now, and in accordance with the provisions of the constitution of this State;

Mr. Hodges demanded the previous question.

The demand was seconded, and the main question ordered.

The motion to recommit did not prevail.

The question recurring on the adoption of the substitute offered by Mr. A. Stevens, it was not adopted, by yeas and nays, as follows:

#### YEAS.

Mr. Baker,  
Bunce,  
Childs,  
Crego,  
Cutcheon,  
C. Davis,  
Douglas,  
Follett,  
Foote,  
Fowle,  
Gilbert,

Mr. Goodrich,  
Gregory,  
A. L. Green,  
Hemingway,  
Howell,  
Jones,  
Kanouse,  
Persons,  
Pringle,  
Ramsdell,

Mr. Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Wallin,  
Warner,  
Waterbury,  
Wright,

31

#### NAYS.

Mr. Adams,  
Alexander,  
Atwood,  
Beamer,  
Blakeslee,  
Brownell,  
Chase,  
Choate,  
Chapoton,  
Cooley,  
Cox,

Mr. Henderson,  
Hill,  
Hodges,  
Hood,  
Hurd,  
Joy,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,

Mr. Pratt,  
Rankin,  
Read,  
Stewart,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wetherby,  
Wheeler,  
J. B. Wilson,

|              |           |                |
|--------------|-----------|----------------|
| A. W. Davis, | Moore,    | T. M. Wilson,} |
| Ira Davis,   | Peters,   | Winans,        |
| Fallass,     | Peterson, | Woodman,       |
| N. K. Green, | Phelps,   | Woodward,      |
| Hadley,      | Piper,    | Speaker,       |
| Haire,       |           |                |

49

The question recurring upon the adoption of the substitute offered by Mr. Pratt, it was not adopted, by yeas and nays, as follows :

## YEAS.

|            |              |                |
|------------|--------------|----------------|
| Mr. Adams, | Mr. Gregory, | Mr. Shanahan,  |
| Baker,     | A. L. Green, | Smith,         |
| Bunce,     | Jones,       | W. N. Stevens, |
| Chase,     | Kanouse,     | Stoddard,      |
| Childs,    | Lockwood,    | Wallin,        |
| Chapoton,  | Miller,      | Warner,        |
| Cox,       | Peterson,    | Waterbury,     |
| Crego,     | Phelps,      | Wetherby,      |
| Cutcheon,  | Pratt,       | Winans,        |
| Douglas,   | Pringle,     | Woodman,       |
| Follett,   | Ramsdell,    | Wright,        |
| Fowle,     | Read,        | Speaker,       |
| Goodrich,  | Sessions,    |                |

38

## NAYS.

|                |             |               |
|----------------|-------------|---------------|
| Mr. Alexander, | Mr. Hadley, | Mr. Persons,  |
| Atwood,        | Haire,      | Peters,       |
| Beamer,        | Henderson,  | Piper,        |
| Blakeslee,     | Hemingway,  | Rankin,       |
| Brownell,      | Hill,       | Shank,        |
| Choate,        | Hodges,     | A. Stevens,   |
| Cooley,        | Hood,       | Stewart,      |
| A. W. Davis,   | Howell,     | Strong,       |
| C. Davis,      | Hurd,       | Taylor,       |
| Ira Davis,     | Joy,        | Toll,         |
| Fallass,       | Kelsey,     | Wheeler,      |
| Foote,         | Leetch,     | T. M. Wilson, |
| Gilbert,       | Morrison,   | J. B. Wilson, |
| N. K. Green,   | Moore,      | Woodward,     |

42

Mr. Morrison moved that the bill, being

Amended House bill No. 172,

Be placed on its final passage.

Mr. Cutcheon moved to recommit the bill to the committee on State affairs, with instructions to amend the same agreeably



to a representation of one Representative for every 9,850 population.

Mr. Morrison demanded the previous question.

The demand was seconded, and the main question ordered.

The motion to recommit did not prevail, by yeas and nays, as follows:

## YEAS.

|            |              |                |
|------------|--------------|----------------|
| Mr. Adams, | Mr. Fowle,   | Mr. Read,      |
| Bunce,     | Gilbert,     | Sessions,      |
| Childs,    | Goodrich,    | Smith,         |
| Cox,       | Gregory,     | W. N. Stevens, |
| Crego,     | A. L. Green, | A. Stevens,    |
| Cutcheon,  | Jones,       | Wallin,        |
| C. Davis,  | Miller,      | Waterbury,     |
| Follett,   | Pringle,     | Winans,        |
| Foote,     | Ramsdell,    | Woodman, 27    |

## NAYS.

|                |                |               |
|----------------|----------------|---------------|
| Mr. Alexander, | Mr. Hemingway, | Mr. Rankin,   |
| Atwood,        | Hill,          | Shank,        |
| Baker,         | Hodges,        | Shanahan,     |
| Beamer,        | Hood,          | Stewart,      |
| Blakeslee,     | Howell,        | Stoddard,     |
| Brownell,      | Hurd,          | Strong,       |
| Chase,         | Joy,           | Taylor,       |
| Choate,        | Kelsey,        | Tibbits,      |
| Chapoton,      | Leetch,        | Toll,         |
| Cooley,        | Lockwood,      | Warner,       |
| A. W. Davis,   | Morrison,      | Wetherby,     |
| Ira Davis,     | Moore,         | Wheeler,      |
| Douglas,       | Persons,       | T. M. Wilson, |
| Fallass,       | Peters,        | J. B. Wilson, |
| N. K. Green,   | Peterson,      | Woodward,     |
| Hadley,        | Phelps,        | Wright,       |
| Haire,         | Piper,         | Speaker. 53   |
| Henderson,     | Pratt,         |               |

The bill was then ordered to be placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|                     |                    |                      |
|---------------------|--------------------|----------------------|
| <b>Mr. Adams,</b>   | <b>Mr. Hadley,</b> | <b>Mr. Piper,</b>    |
| <b>Alexander,</b>   | <b>Haire,</b>      | <b>Pratt,</b>        |
| <b>Atwood,</b>      | <b>Henderson,</b>  | <b>Rankin,</b>       |
| <b>Beamer,</b>      | <b>Hill,</b>       | <b>Read,</b>         |
| <b>Blakeslee,</b>   | <b>Hodges,</b>     | <b>Shank,</b>        |
| <b>Brownell,</b>    | <b>Hood,</b>       | <b>Stewart,</b>      |
| <b>Chase,</b>       | <b>Hurd,</b>       | <b>Stoddard,</b>     |
| <b>Choate,</b>      | <b>Joy,</b>        | <b>Strong,</b>       |
| <b>Chapoton,</b>    | <b>Kelsey,</b>     | <b>Tibbits,</b>      |
| <b>Cooley,</b>      | <b>Leetch,</b>     | <b>Toll,</b>         |
| <b>A. W. Davis,</b> | <b>Lockwood,</b>   | <b>Wetherby,</b>     |
| <b>Ira Davis,</b>   | <b>Morrison,</b>   | <b>Wheeler,</b>      |
| <b>Fallass,</b>     | <b>Moore,</b>      | <b>T. M. Wilson,</b> |
| <b>Follett,</b>     | <b>Peters,</b>     | <b>J. B. Wilson,</b> |
| <b>Foote,</b>       | <b>Peterson,</b>   | <b>Woodward,</b>     |
| <b>N. K. Green,</b> | <b>Phelps,</b>     |                      |

47

## NAYS.

|                   |                         |                       |
|-------------------|-------------------------|-----------------------|
| <b>Mr. Baker,</b> | <b>Mr. A. L. Green,</b> | <b>Mr. Smith,</b>     |
| <b>Bunce,</b>     | <b>Hemingway,</b>       | <b>W. N. Stevens,</b> |
| <b>Childs,</b>    | <b>Howell,</b>          | <b>A. Stevens,</b>    |
| <b>Cox,</b>       | <b>Jones,</b>           | <b>Taylor,</b>        |
| <b>Crego,</b>     | <b>Kanouse,</b>         | <b>Wallin,</b>        |
| <b>Cutcheon,</b>  | <b>Miller,</b>          | <b>Warner,</b>        |
| <b>C. Davis,</b>  | <b>Persons,</b>         | <b>Waterbury,</b>     |
| <b>Douglas,</b>   | <b>Pringle,</b>         | <b>Winans,</b>        |
| <b>Fowle,</b>     | <b>Ramsdell,</b>        | <b>Woodman,</b>       |
| <b>Gilbert,</b>   | <b>Sessions,</b>        | <b>Wright,</b>        |
| <b>Goodrich,</b>  | <b>Shanahan,</b>        | <b>Speaker,</b>       |
| <b>Gregory,</b>   |                         |                       |

34

Title agreed to.

Mr. Henderson moved to reconsider the vote whereby the bill was passed.

Mr. Morrison moved to lay the motion on the table.

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows :

## YEAS.

|                   |                         |                   |
|-------------------|-------------------------|-------------------|
| <b>Mr. Adams,</b> | <b>Mr. N. K. Green,</b> | <b>Mr. Piper,</b> |
| <b>Alexander,</b> | <b>Hadley,</b>          | <b>Pratt,</b>     |
| <b>Beamer,</b>    | <b>Haire,</b>           | <b>Rankin,</b>    |
| <b>Blakeslee,</b> | <b>Henderson,</b>       | <b>Read,</b>      |
| <b>Brownell,</b>  | <b>Hodges,</b>          | <b>Sessions,</b>  |

Chase,  
Choate,  
Chapoton,  
Cooley,  
Cox,  
A. W. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Foote,

Hood,  
Joy,  
Kelsey,  
Leetch,  
Lockwood,  
Morrison,  
Moore,  
Peters,  
Peterson,  
Phelps,

Shank,  
Stoddard,  
Strong,  
Tibbits,  
Toll,  
Wetherby,  
T. M. Wilson,  
J. B. Wilson,  
Woodward,  
Speaker, 45

## NAYS.

Mr. Atwood,  
Baker,  
Childs,  
Crego,  
Cutcheon,  
C. Davis,  
Follett,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,

Mr. Hemingway,  
Howell,  
Hurd,  
Jones,  
Kanouse,  
Miller,  
Persons,  
Pringle,  
Ramsdell,  
Shanahan,  
Smith,

Mr. W. N. Stevens,  
A. Stevens,  
Stewart,  
Taylor,  
Wallin,  
Warner,  
Waterbury,  
Wheeler,  
Winans,  
Woodman,  
Wright,

84

Mr. Pratt moved to suspend the order of business, in order to make a motion to reconsider the vote whereby the House refused to pass House bill No. 132, entitled

A bill to amend chapter 75, of the compiled laws, by adding 5 new sections, to be numbered sections 25, 26, 27, 28 and 29, to provide for the homeopathic department in the University of Michigan.

Mr. Gregory demanded the yeas and nays on the motion to suspend the rules.

The demand was seconded, and the motion was not adopted, two-thirds of all the members elect not voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Atwood,  
Beamer,  
Blakeslee,  
Chase,  
Chapoton,  
Cooley,

Mr. Goodrich,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Heod,

Mr. Phelps,  
Piper,  
Pratt,  
Smith,  
Stoddard,  
Strong,

Cox,  
Crego,  
Cutcheon,  
A. W. Davis,  
O. Davis,  
Ira Davis,  
Foote,  
Fowle,  
Gilbert,

Howell,  
Kanouise,  
Kelsey,  
Leetch,  
Miller,  
Morrison,  
Peters,  
Persons,  
Peterson,

Taylor,  
Tibbits,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
Wright,  
Speaker, 45

## NAYS.

Mr. Mr. Adams,  
Baker,  
Brownell,  
Childs,  
Choate,  
Fallass,  
Follett,  
Gregory,  
A. L. Green,  
N. K. Green,

Mr. Hadley,  
Hurd,  
Jones,  
Joy,  
Lockwood,  
Moore,  
Pringle,  
Rankin,  
Sessions,

Mr. Shank,  
Shanahan,  
W. N. Stevens,  
Stewart,  
Toll,  
Wallin,  
Winans,  
Woodman,  
Woodward, 28

Mr. Shank moved that the House adjourn;

Which motion did not prevail.

The House resumed business under the order of

## THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill, entitled

A bill to amend section 2, of chapter 20 of compiled laws,  
relative to the meeting of highway commissioners,

Was read a third time and passed, a majority of all the mem-  
bers elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Adams,  
Atwood,  
Baker,  
Beamer,  
Blakeslee,  
Brownell,  
Chase,  
Childs,  
Chapoton,  
Crego,  
A. W. Davis,  
O. Davis,  
Ira Davis,

Mr. Gilbert,  
Goodrich,  
A. L. Green,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hodges,  
Hood,  
Hurd,  
Jones,  
Kanouise,  
Kelsey,

Mr. Ramsdell,  
Sessions,  
Shank,  
Shanahan,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Taylor,  
Tibbits,  
Toll,  
Waterbury,  
Wetherby,

Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,

Lockwood,  
Peters,  
Peterson,  
Piper,  
Pringle,

J. B. Wilson,  
T. M. Wilson,  
Winans,  
Speaker,

53

## NAYS.

Mr. Alexander,  
Choate,  
Cox,  
Cutcheon,

Mr. Gregory,  
Howell,  
Moore,

Mr. Wallin,  
Woodman,  
Woodward,

10

Title agreed to.

On motion of Mr. Henderson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill, entitled

A bill to authorize the township board of the township of Genoa, in the county of Livingston, to transfer the title of the township burial ground to a corporation,

Being under consideration,

Mr. T. M. Wilson moved that the bill be recommitted to the committee on judiciary.

Pending which,

On motion of Mr. Sessions,

The bill was laid on the table.

Senate bill No. 100, entitled

A bill to amend sections 2014 and 2017 of the compiled laws, in reference to religious societies so as to authorize the recording of articles of association, and to give the trustees, wardens and vestrymen authority to execute securities upon church property in certain cases,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Adams,  
Alexander,  
Atwood,  
Baker,  
Beamer,  
Blakeslee,

Mr. Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,

Mr. Pratt,  
Pringle,  
Rankin,  
Sessions,  
Shanahan,  
Smith,

|              |            |                |
|--------------|------------|----------------|
| Brownell,    | Hadley,    | W. N. Stevens, |
| Bunce,       | Haire,     | Stewart,       |
| Chase,       | Henderson, | Strong,        |
| Childs,      | Hodges,    | Taylor,        |
| Choate,      | Hurd,      | Tibbits,       |
| Chapoton,    | Jones,     | Toll,          |
| Cooley,      | Joy,       | Wallin,        |
| Cox,         | Kanouse,   | Warner,        |
| Crego,       | Kelsey,    | Waterbury,     |
| Cutcheon,    | Lockwood,  | Wetherby,      |
| A. W. Davis, | Moore,     | T. M. Wilson,  |
| C. Davis,    | Persons,   | J. B. Wilson,  |
| Ira Davis,   | Peters,    | Winans,        |
| Douglas,     | Peterson,  | Woodman,       |
| Fallass,     | Phelps,    | Woodward,      |
| Follett,     | Piper,     | Wright,        |
| Foote,       |            |                |

20

NAYS.

0

Title agreed to.

Senate bill No. 86, entitled

A bill to authorize the first congregational church and society of the village of Hudson, to sell their church lot, or any part thereof,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|              |                  |               |
|--------------|------------------|---------------|
| Mr. Baker,   | Mr. A. L. Green, | Mr. Sessions, |
| Blakeslee,   | N. K. Green,     | Shanahan,     |
| Brownell,    | Hadley,          | Smith,        |
| Chase,       | Haire,           | A. Stevens,   |
| Childs,      | Henderson,       | Strong,       |
| Cox,         | Hood,            | Taylor,       |
| Crego,       | Howell,          | Tibbits,      |
| Cutcheon,    | Jones,           | Toll,         |
| A. W. Davis, | Kanouse,         | Warner,       |
| C. Davis,    | Kelsey,          | Waterbury,    |
| Ira Davis,   | Moore,           | Wetherby,     |
| Douglas,     | Peters,          | T. M. Wilson, |
| Fallass,     | Peterson,        | J. B. Wilson, |
| Follett,     | Phelps,          | Winans,       |
| Foote,       | Piper,           | Woodman,      |
| Fowle,       | Pratt,           | Woodward,     |
| Goodrich,    | Rankin,          | Wright,       |

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## NAYS.

|            |             |                |    |
|------------|-------------|----------------|----|
| Mr. Adams, | Mr. Cooley, | Mr. Shank,     |    |
| Alexander, | Gilbert,    | W. N. Stevens, |    |
| Atwood,    | Hodges,     | Stewart,       |    |
| Beamer,    | Joy,        | Wallin,        |    |
| Choate,    | Lockwood,   | Speaker,       | 15 |

Title agreed to.

On motion of Mr. Childs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 45, entitled

A bill to repeal chapter 122 of the revised statutes of 1846, and the amendments thereto, and provide for the collection of demands against water craft,

Being under consideration,

On motion of Mr. Ira Davis,

The bill was laid on the table.

House bill No. 123, entitled

A bill to amend sections 4742, 4747 and 4748, of the compiled laws, relating to proceedings against debtors by attachment,

Being under consideration,

On motion of Mr. Phelps,

The bill was laid on the table.

## MESSAGES FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER, }  
Lansing, March 6, 1861. }

*To the Speaker of the House of Representatives:*

SER:—I am instructed to return to the House the following entitled bill:

A bill to amend an act entitled an act to incorporate the city of Lansing, approved Feb. 15th, 1859,

Which the Senate has amended by inserting in the fourth line of section 258, after the word "election," the words "and a board of registration,"

In the passage of which the Senate has concurred by a ma-

majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The House concurred in the amendments made to the bill by the Senate, by the following vote:

YEAS.

|            |                  |                |
|------------|------------------|----------------|
| Mr. Adams, | Mr. A. L. Green, | Mr. Read,      |
| Alexander, | N. K. Green,     | Sessions,      |
| Atwood,    | Hadley,          | Shank,         |
| Baker,     | Haire,           | Shanahan,      |
| Beamer,    | Henderson,       | Smith,         |
| Blakeslee, | Hood,            | W. N. Stevens, |
| Bunce,     | Hurd,            | Stewart,       |
| Chase,     | Jones,           | Tibbits,       |
| Childs,    | Joy,             | Toll,          |
| Choate,    | Kanouse,         | Wallin,        |
| Cox,       | Kelsey,          | Warner,        |
| Crego,     | Leetch,          | Waterbury,     |
| Cutcheon,  | Miller,          | Wetherby,      |
| Ira Davis, | Moore,           | Wheeler,       |
| Douglas,   | Persons,         | T. M. Wilson,  |
| Fallass,   | Peters,          | J. B. Wilson,  |
| Follett,   | Peterson,        | Winans,        |
| Foote,     | Phelps,          | Woodman,       |
| Fowle,     | Piper,           | Woodward,      |
| Gilbert,   | Ramsdell,        | Wright,        |
| Goodrich,  | Rankin,          | Speaker, 63    |

NAYS.

|             |                  |                   |
|-------------|------------------|-------------------|
| Mr. Cooley, | Mr. A. W. Davis, | Mr. A. Stevens, 3 |
|-------------|------------------|-------------------|

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, March 6, 1861. }

To the Speaker of the House of Representatives :

SIR :—I am instructed by the Senate to transmit the following entitled bills :



1st. A bill to provide a tax for the expenses of the State government ;

2d. A bill making appropriation for the Michigan asylum for the insane ;

Which have passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on ways and means.

The second named bill was read a first and second time by its title, and,

Mr. Adams moved that it be referred to the committee on asylum for the same ;

Which motion did not prevail.

The bill was then referred to the committee on ways and means.

By unanimous consent, the committee on banks and incorporations made the following report:

The committee on banks and incorporations, to whom was referred Senate bill, entitled

A bill to amend an act entitled an act to amend an act to incorporate the village of Kalamazoo, and the acts amendatory thereto, approved April 1st, 1850, and the acts amendatory thereto,

Respectfully report that they have had the same under consideration, and have proposed certain amendments thereto, which are herewith submitted, and in which the concurrence of the House is respectfully asked. With the exception of the part relating to a recorder's court, proposed to be stricken out, this charter is well constructed and is especially worthy of commendation, as it accomplishes for that village all, or nearly all, the valuable purposes sometimes sought for in behalf of cities, of half the population, in bills five times as long. The

committees recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

EUGENE PRINGLE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the amendments made by the committee.

On motion of Mr. Pringle,

The bill was placed on the order of third reading.

On motion of Mr. Ramsdell,

The House adjourned until 7½ o'clock this evening.

---

EVENING SESSION.

7½ o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called : quorum present.

GENERAL ORDER.

On motion of Mr. Sessions,

The House went into committee of the whole on the general order,

Mr. Pringle in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled bills :

1. House bill No. 117, being

A bill to amend and add to chapter 132, of compiled laws, entitled of homestead exemption;

2. House bill, entitled

A bill making appropriations for the support of the State normal school;

3. House bill No. 124, entitled

A bill to provide for laying out and establishing highways on lines dividing this from other States;

4. Senate bill No. 29, entitled

A bill to provide for the signing of decrees, records, and journals of courts of record ;

5. House bill, entitled

A bill to restore certain sections of land to the township of Cottrellville, in the county of St. Clair ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

6. House bill No. 113, entitled

A bill to authorize religious, eleemosynary and other corporations, not municipal, to sell, convey, exchange or mortgage real estate for certain purposes ;

7. House bill No. 121, entitled

A bill to authorize boards of health to dispose of real estate ;

Have made some amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

EUGENE PRINGLE, *Chairman.*

Report accepted and committee discharged.

The first, second, third, fourth and fifth named bills, were ordered to a third reading.

Mr. Lockwood moved to lay the sixth named bill on the table ;  
Which motion did not prevail.

On motion of Mr. Pringle,

The bill was ordered engrossed for a third reading.

On motion of Mr. Moore,

The amendments to the seventh named bill were concurred in, and the bill ordered engrossed for a third reading.

On motion of Mr. Alexander,

The House adjourned until to-morrow morning at 9 o'clock.

*Lansing, Thursday, March 7, 1861.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Potter.

Roll called : quorum present.

**PETITIONS PRESENTED.**

By Mr. Ira Davis : the petition of G. B. Truax, Jonathan Hudson and 101 others, asking for the repeal of the law giving bounty on salt;

Referred to the select committee on salt.

By Mr. Choate : petition of Joseph Hall, Charles Villet, Jacob Leonard and 54 others, citizens of Lasalle, Monroe county, asking a repeal of the law entitled an act to encourage the manufacture of salt in Michigan, approved February 15th, 1859 ;

Referred to the select committee on salt.

**REPORTS OF STANDING COMMITTEES.**

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred House bill, entitled

A bill to amend an act entitled an act to provide for the incorporation of villages, approved February 17, 1857,

Respectfully report that they have had the same under consideration, have proposed certain formal amendments thereto which are herewith submitted, and they recommend that when so amended the bill do pass, and ask to be discharged from the further consideration thereof.

**EUGENE PRINGLE, *Chairman.***

Report accepted and committee discharged.

On motion of Mr. Howell,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on banks and incorporations :

The committee on banks and incorporations, to whom was referred a manuscript Senate bill, entitled

A bill to amend section 45, of chapter 52, of compiled laws, relative to the organization of villages,

Respectfully report that they have had the same under consideration, do not approve the change proposed, and therefore return the bill to the House with a recommendation that it do not pass, and ask to be discharged.

EUGENE PRINGLE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bill was laid on the table.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to protect the owners of sheep from damage done by dogs,

Respectfully report that they have considered the same, and are of opinion that as it is no part of the object of the bill to raise a revenue by tax, but that it is merely a public measure intended to protect the farming interests of the State, and therefore, in the opinion of your committee, is not without the provisions of the constitution in relation to equal taxation.

Your committee, in pursuance of the desire of the House, also prepare an amendment herewith submitted, applying the law to all incorporated cities except Detroit, and report the bill back without recommendation, and ask to be discharged.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Gregory,

The House concurred in the amendments made by the committee.

On motion of Mr. Sessions,

The bill was placed on the order of third reading.

By the judiciary committee :

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend section 5860 of the compiled laws, in reference to the crime of polygamy,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

By the committee on rivers and harbors:.

The committee on harbors, to whom was referred Senate bill, entitled

A bill to authorize the board of supervisors of the county of Ontonagon, to raise money by tax, or otherwise, for the improvement of the harbor at the mouth of Otonagon river;

Would report that they have had the same under consideration, and have directed me to report the same back to the House with a recommendation that it do pass, and ask to be discharged from the further consideration of the same.

T. M. WILSON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. T. M. Wilson,

The bill was placed on the order of third reading.

By the committee on rivers and harbors:

The committee on rivers and harbors, to whom was referred

A bill to authorize Walter Crane, receiver of the estate of J. W. Duncan & Co., to build a dam across the Cheboygan river, and repealing acts No. 74 and 97, of the session laws of 1846 and 1848,

Would report that they have had the same under consideration, and have directed me to report the same back to the House, with a recommendation that it do not pass, and ask to be discharged from the further consideration of the same.

T. M. WILSON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. T. M. Wilson,

The bill was laid on the table.

REPORTS OF SELECT COMMITTEES.

The select committee to whom was referred House bill No. 104, being

A bill to organize the county of Bleecker,

Have duly considered the same and recommend that section 2 be stricken out from said bill, and a new section inserted in lieu thereof, so as to leave the location of the county seat to the vote of the people of the county. A section to stand as section 2 is herewith reported, and when the bill is amended by inserting the same, your committee recommend that the bill do pass. Your committee ask to be discharged from the further consideration of the subject.

EBENEZER WARNER.

Report accepted and committee discharged.

On motion of Mr. N. K. Green,

The House concurred in the amendments made by the committee.

On motion of Mr. Warner,

The bill was ordered engrossed for a third reading.

The select committee, to whom was referred House bill No. 70, entitled

A bill to provide for the floating of logs and timber in the streams of this State,

Have had the same under consideration, and report it back with certain amendments, and ask that they be adopted, and when so amended recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

B. L. HILL.

Report accepted and committee discharged.

On motion of Mr. Waterbury,

The House concurred in the amendments made by the committee.

On motion of Mr. Hill,

The bill was placed on the order of third reading.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following entitled bills:

A bill to authorize any township in the county of Allegan to levy a special tax for the improvement of the Kalamazoo river and harbor;

Also,

A bill to amend an act entitled an act to provide for the settlement and drainage of swamp lands by actual settlers, being act No. 229 of the session laws of 1859,

Also,

A bill to organize the township of Cedar Creek, in the county of Muskegon;

Also,

A bill to legalize a mortgage executed by the trustees of the First Congregational Society of Newark;

Also,

A bill to amend an act to incorporate the village of Hastings, approved February 13, 1855;

Also,

A bill to authorize the trustees of the Second Society of the Methodist Episcopal Church of Detroit to mortgage real estate;

Also,

A bill authorizing the trustees of the Methodist Episcopal Church of Muskegon, in the county of Muskegon, to mortgage their church edifice and lands;

Also,

A bill in relation to the collection of recognizances in criminal cases;

Also,

A bill to amend an act entitled an act to provide for the drainage and reclamation of swamp lands by means of



State roads and ditches, being act No. 117, of the session laws of 1859;

Also,

A bill to provide for the incorporation of associations for the publication of periodicals, newspapers, books, tracts, documents, and other publications;

Also,

A bill to extend the time for the collection of taxes in the township of Lyons, in the county of Ionia, for the year 1860, and to authorize the collection of the same;

Also,

A bill to amend an act entitled an act in relation to the free schools in the city of Detroit, approved February 7, 1857;

Also,

A bill to amend chapter 79, of the revised statutes of 1846, (compiled laws, chapter 103) by adding three new sections, numbered 54, 55 and 56, in relation to redemption against sales on executions;

Also,

A bill changing the name of the township of Newark, in Allegan county, to that of Saugatuck.

A. L. GREEN, *Chairman*.

Report accepted.

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }  
*Lansing, March 6, 1861.* }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to re-transmit the following entitled bill :

A bill to re-organize the Agricultural College of the State of Michigan, and to establish a State board of agriculture;

And to inform the House that the Senate does not concur in its amendment, striking out, in line 2, section 39, "George W.

Germain, of Ionia county," and inserting "Silas A. Yerkes, of Kent county."

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Fallas moved that the House insist upon its amendment;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

|                |                  |                |
|----------------|------------------|----------------|
| Mr. Alexander, | Mr. A. L. Green, | Mr. Ramsdell,  |
| Atwood,        | Hadley,          | Read,          |
| Beamer,        | Haire,           | Sessions,      |
| Bunce,         | Henderson,       | Shank,         |
| Childs,        | Hood,            | Shanahan,      |
| Chapoton,      | Howell,          | Smith,         |
| Cooley,        | Hurd,            | W. N. Stevens, |
| Cutcheon,      | Joy,             | A. Stevens,    |
| A. W. Davis,   | Lockwood,        | Strong,        |
| Ira Davis,     | Miller,          | Taylor,        |
| Douglas,       | Morrison,        | Toll,          |
| Fallass,       | Moore,           | Waterbury,     |
| Follett,       | Persons,         | Wheeler,       |
| Foote,         | Peters,          | T. M. Wilson,  |
| Fowle,         | Peterson,        | Winans,        |
| Gilbert,       | Phelps,          | Wright,        |
| Goodrich,      | Piper,           | Speaker,       |
| Gregory,       | Pringle,         |                |

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NAYS.

|              |           |               |
|--------------|-----------|---------------|
| Mr. Adams,   | Mr. Hill, | Mr. Tibbits,  |
| Baker,       | Hodges,   | Wade,         |
| Blakeslee,   | Kanouse,  | Wallin,       |
| Chase,       | Kelsey,   | Wetherby,     |
| Cox,         | Leetch,   | J. B. Wilson, |
| Crego,       | Pratt,    | Woodman,      |
| C. Davis,    | Stoddard, | Woodward,     |
| N. K. Green, |           |               |

22

Mr. Smith moved to reconsider the vote whereby the House insisted upon its amendment.

Mr. Morrison moved to lay the motion to reconsider on the table;

Which motion prevailed.

Also the following:

SENATE CHAMBER,  
Lansing, March 6, 1861. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following:  
entitled bill:

A bill to organize the Wayne county poor farm into a school district, and appropriate public moneys to the education of poor children,

Which the Senate has amended by striking out, in section one, the words "to be known as district No.," and inserting "to be numbered by the school inspectors of the township of Nankin," also, by striking out section two.

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Alexander moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

|              |                  |                |
|--------------|------------------|----------------|
| Mr. Adams,   | Mr. A. L. Green, | Mr. Read,      |
| Alexander,   | N. K. Green,     | Sessions,      |
| Atwood,      | Hadley,          | Shank,         |
| Baker,       | Haire,           | Shanahan,      |
| Beamer,      | Henderson,       | Smith,         |
| Blakeslee,   | Hill,            | W. N. Stevens, |
| Brownell,    | Hodges,          | A. Stevens,    |
| Bunce,       | Hood,            | Stoddard,      |
| Chase,       | Howell,          | Strong,        |
| Childs,      | Hurd,            | Taylor,        |
| Choate,      | Joy,             | Tibbits,       |
| Chapoton,    | Kanouse,         | Toll,          |
| Cooley,      | Kelsey,          | Wade,          |
| Cox,         | Leetch,          | Wallin,        |
| Crego,       | Lockwood,        | Warner,        |
| Cutcheon,    | Miller,          | Waterbury,     |
| A. W. Davis, | Morrison,        | Wetherby,      |

C. Davis,  
Ira Davis,  
Douglas,  
Follett,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,

Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Ramsdell,  
Rankin,

Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

75

NAYS.

Mr. Pringle,

1

The bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, March 6, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bill :

A bill authorizing the supervisors of the several towns in the Upper Peninsula to assess and collect the State taxes upon all mining companies' real estate or other property ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Also, the following :

SENATE CHAMBER,  
Lansing, March 6, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bills :

A bill to amend an act entitled an act for the encouragement of agriculture, manufacture and the mechanic arts, ap-

proved March 16, 1849, and the act amendatory thereto, approved February 8, 1855;

A bill to amend section 188, of chapter 117, of the compiled laws, in relation to appeals from justices courts;

In the passage of which the Senate has not concurred, a majority of all the Senators elect not voting therefor.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Laid on the table.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Howell offered the following:

*Resolved*, That the time for speaking be limited to ten minutes, and that no member be allowed to speak more than once upon any one subject.

Mr. Wallin moved to strike out "ten" and insert "five;"

Which motion prevailed.

The resolution was then adopted.

Mr. Pratt moved to take from the table House bill No. 74, being

A bill to provide for the re-organization and government of the University of Michigan;

Which motion prevailed.

Mr. Cutcheon moved that the further consideration of the bill be indefinitely postponed;

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

#### YEAS.

|            |              |                |
|------------|--------------|----------------|
| Mr. Adams, | Mr. Foote,   | Mr. Sessions,  |
| Baker,     | A. L. Green, | Shank,         |
| Beamer,    | N. K. Green, | Shanahan,      |
| Brownell,  | Hadley,      | W. N. Stevens, |
| Bunce,     | Joy,         | Toll,          |
| Childs,    | Lockwood,    | Wallin,        |
| Choate,    | Moore,       | Winans,        |
| Cutcheon,  | Pringle,     | Woodman,       |

Douglas,  
Fallass,

Ramsdell,

Woodward,

33

NAYS.

Mr. Alexander,  
Atwood,  
Blakeslee,  
Chase,  
Cooley,  
Cox,  
Crego,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Follett,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
Haire,

Mr. Henderson,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Kanouse,  
Kelsey,  
Miller,  
Morrison,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,

Mr. Rankin,  
Read,  
Smith,  
A. Stevens,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Wade,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Wright, 48

Mr. Cutcheon moved that the bill be referred to a select committee of three;

The motion then prevailed.

Mr. Foote moved to strike out all after the enacting clause of the bill, and insert the following :

Section 1. The Board of Regents of the University of Michigan shall, and they are hereby required, within six months from the passage of this act, to establish in some city in this State, other than Ann Arbor, a branch of the University to be known as the Homœopathic medical department of said University; and shall, within the time aforesaid, appoint at least three Professors for such branch, who shall receive out of the University interest fund, or any other funds of the University, the same salary each as is paid to each of the Professors in the department of medicine at Ann Arbor; and such Professors shall teach Anatomy, Surgery, Chemistry, Physiology, Pathology, Homœopathic materia medica, Homœopathic theory and practice of medicine, obstetrics and medical jurisprudence.

Sec. 2. It shall be lawful for the Regents to receive donations for the purpose of erecting a suitable building, of lands upon which to erect the same, and for any other purpose pertaining

to said branch, and to erect all suitable buildings, and purchase apparatus, and other articles and library for the benefit of the same with such donations ; and the Regents may, if a suitable building cannot be erected and ready for use by the 15th day of October, 1861, lease or rent suitable apartments for the accommodation of the said branch, and may charge a fee to each student attending the same, not exceeding fifteen dollars, to be applied in payment of such rent. The branch shall be conducted by the Professors thereof, under such rules and regulations as the Regents shall prescribe.

The question being upon the motion to strike out all after the enacting clause of the bill, and inserting the above in lieu thereof,

Mr. Pratt demanded the previous question.

The demand was seconded, and the main question ordered.

The motion prevailed, by yeas and nays, as follows .

#### YEAS.

|                |             |                |
|----------------|-------------|----------------|
| Mr. Blakeslee, | Mr. Hodges, | Mr. Shannahan, |
| Chase,         | Hood,       | Smith,         |
| Cooley,        | Howell,     | A. Stevens,    |
| Cox,           | Kanouse,    | Stoddard,      |
| Crego,         | Kelsey,     | Strong,        |
| A. W. Davis,   | Leetch,     | Taylor,        |
| C. Davis,      | Miller,     | Tibbits,       |
| Ira Davis,     | Morrison,   | Wade,          |
| Foote,         | Persons,    | Warner,        |
| Fowle,         | Peters,     | Waterbury,     |
| Gilbert,       | Peterson,   | Wetherby,      |
| Goodrich,      | Phelps,     | T. M. Wilson,  |
| Gregory,       | Piper,      | J. B. Wilson,  |
| Haire,         | Pratt,      | Wright,        |
| Hill,          | Read,       |                |

44

#### NAYS.

|            |              |                |
|------------|--------------|----------------|
| Mr. Adams, | Mr. Douglas, | Mr. Ramsdell,  |
| Alexander, | Follett,     | Rankin,        |
| Atwood,    | A. L. Green, | Sessions,      |
| Baker,     | N. K. Green, | Shank,         |
| Beamer,    | Hadley,      | W. N. Stevens, |
| Brownell,  | Henderson,   | Toll,          |
| Bunce,     | Hurd,        | Wallin,        |

|           |           |           |           |
|-----------|-----------|-----------|-----------|
| Childs,   | Joy,      | Winans,   |           |
| Choate,   | Lockwood, | Woodman,  |           |
| Chapoton, | Moore,    | Woodward, |           |
| Cutcheon, | Pringle,  | Speaker,  | <b>38</b> |

Mr. Pratt moved that the bill be placed on the order of third reading.

Mr. Childs moved to recommit the bill to the committee on judiciary.

Mr. Pratt demanded the yeas and nays.

The demand was seconded, and the motion to recommit did not prevail, by yeas and nays, as follows :

## YEAS.

|            |              |               |           |
|------------|--------------|---------------|-----------|
| Mr. Baker, | Mr. Fallass, | Mr. Shank     |           |
| Beamer,    | A. L. Green, | W. N. Stevens |           |
| Brownell,  | N. K. Green, | Toll,         |           |
| Childs,    | Hadley,      | Wheeler,      |           |
| Choate,    | Hurd,        | Woodman,      |           |
| Cutcheon,  | Joy,         | Woodward,     |           |
| Douglas,   | Moore,       | Speaker,      | <b>21</b> |

## - NAYS.

|              |                |               |           |
|--------------|----------------|---------------|-----------|
| Mr. Adams,   | Mr. Hemingway, | Mr. Read,     |           |
| Alexander,   | Hill,          | Sessions,     |           |
| Blakeslee,   | Hodges,        | Shanahan,     |           |
| Chase,       | Hood,          | Smith,        |           |
| Chapoton,    | Howell,        | A. Stevens,   |           |
| Cooley,      | Kanouse,       | Stoddard,     |           |
| Cox,         | Kelsey,        | Strong,       |           |
| Crego,       | Leetch,        | Taylor,       |           |
| A. W. Davis, | Miller,        | Tibbits,      |           |
| C. Davis,    | Morrison,      | Wade,         |           |
| Ira Davis,   | Persons,       | Wallin,       |           |
| Follett,     | Peters,        | Warner,       |           |
| Foote,       | Peterson,      | Waterbury,    |           |
| Fowle,       | Phelps,        | Wetherby,     |           |
| Gilbert,     | Piper,         | T. M. Wilson, |           |
| Goodrich,    | Pratt,         | J. B. Wilson, |           |
| Gregory,     | Pringle,       | Winans,       |           |
| Haire,       | Ramsdell,      | Wright,       |           |
| Henderson,   | Rankin,        |               | <b>56</b> |

The question recurring upon the motion to order the bill to a third reading,

Mr. Howell demanded the yeas and nays.



The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

## YEAS.

|                |           |               |
|----------------|-----------|---------------|
| Mr. Blakeslee, | Mr. Hill, | Mr. Read,     |
| Bunce,         | Hodges,   | Shanahan,     |
| Chase,         | Hood,     | Smith,        |
| Cooley,        | Howell,   | A. Stevens,   |
| Cox,           | Kanouse,  | Stoddard,     |
| Crego,         | Kelsey,   | Strong,       |
| A. W. Davis,   | Leetch,   | Taylor,       |
| C. Davis,      | Miller,   | Tibbits,      |
| Ira Davis,     | Morrison, | Wade,         |
| Foote,         | Moore,    | Warner,       |
| Fowle,         | Persons,  | Waterbury,    |
| Gilbert,       | Peters,   | Wetherby,     |
| Goodrich,      | Peterson, | Wheeler,      |
| Gregory,       | Phelps,   | T. M. Wilson, |
| Haire,         | Piper,    | J. B. Wilson, |
| Henderson,     | Pratt,    | Wright,       |
| Hemingway,     |           |               |

49

## NAYS.

|                |              |                |
|----------------|--------------|----------------|
| Mr. Alexander, | Mr. Follett, | Mr. Sessions,  |
| Atwood,        | A. L. Green, | Shank,         |
| Baker,         | N. K. Green, | W. N. Stevens, |
| Beamer,        | Hadley,      | Toll,          |
| Brownell,      | Hurd,        | Wallin,        |
| Childs,        | Joy,         | Winans,        |
| Choate,        | Lockwood,    | Woodman,       |
| Chapoton,      | Pringle,     | Woodward,      |
| Cutcheon,      | Ramsdell,    | Speaker,       |
| Douglas,       | Rankin,      |                |

29

Mr. Lockwood moved that House bill No. 74, entitled

A bill to provide for the re-organization and government of the University of Michigan,

Be printed in full upon the journal;

Which motion did not prevail.

Mr. Wheeler moved that the committee of the whole be discharged from the further consideration of Senate bill, entitled

A bill to amend an act entitled an act to provide against the recovery of damages done by beasts on lands not enclosed by a lawful fence, being section 628 of compiled laws ;

Which motion did not prevail.

Mr. Wheeler moved that the committee of the whole be discharged from the further consideration of Senate bill No. 18, being

A bill to amend section 364 of the compiled laws, in relation to the compensation of supervisors ;

Which motion prevailed.

On motion of Mr. Wheeler,

The bill was placed on the order of third reading.

Mr. Henderson moved that the committee of the whole be discharged from the further consideration of Senate bill No. 118, being

A bill to amend section 2435, of compiled laws, relative to the payment of moneys by purchasers of the trust funds to county treasurers ;

Which motion did not prevail.

Mr. Adams moved that the committee of the whole be discharged from the further consideration of Senate bill entitled

A bill to vacate a part of the village plat of South Haven, in Van Buren county ;

Which motion did not prevail.

Mr. Phelps moved to take from the table House bill No. 123, being

A bill to amend sections 4742, 4747 and 4748, of the compiled laws, relating to proceedings against debtors, by attachment ;

Which motion prevailed.

On motion of Mr. Phelps,

The bill was placed on the order of third reading.

Mr. Cooley moved to reconsider the vote whereby the House concurred in the amendments made by the committee to House bill No 122, entitled

A bill to protect the owners of sheep from damage done by dogs ;

Mr. Wheeler moved to lay the motion to reconsider on the table ;

Which motion did not prevail.

The question being upon the motion to reconsider,

Mr. Wallin demanded the previous question ;

The demand was seconded, and the main question ordered.

The motion to reconsider prevailed, by yeas and nays, as follows :

## YEAS.

|              |                  |             |
|--------------|------------------|-------------|
| Mr. Adams,   | Mr. N. K. Green, | Mr. Rankin, |
| Baker,       | Hadley,          | Read,       |
| Beamer,      | Haire,           | Shanahan,   |
| Chase,       | Henderson,       | Smith,      |
| Choate,      | Hill,            | A. Stevens, |
| Cooley,      | Hodges,          | Strong,     |
| Cox,         | Hood,            | Taylor,     |
| Crego,       | Kanouse,         | Tibbits,    |
| Cutcheon,    | Kelsey,          | Toll,       |
| A. W. Davis, | Leetch,          | Wade,       |
| O. Davis,    | Miller,          | Wallin,     |
| Fallass,     | Moore,           | Warner,     |
| Fowle,       | Persons,         | Waterbury,  |
| Gilbert,     | Peters,          | Wetherby,   |
| Goodrich,    | Piper,           | Winans,     |
| Gregory,     | Pringle,         | Wright,     |
| A. L. Green, | Ramsdell,        |             |

50

## NAYS.

|                |             |               |
|----------------|-------------|---------------|
| Mr. Alexander, | Mr. Howell, | Mr. Sessions, |
| Atwood,        | Hurd,       | Shank,        |
| Blakeslee,     | Joy,        | Stoddard,     |
| Bunce,         | Lockwood,   | T. M. Wilson, |
| Childs,        | Morrison,   | J. B. Wilson, |
| Chapoton,      | Peterson,   | Woodman,      |
| Ira Davis,     | Phelps,     | Speaker,      |
| Follett,       | Pratt,      |               |

23

The question recurring upon concurring in the amendments made to the bill by the committee,

Mr. Wallin moved that the House concur in the amendments excepting the amendment made exempting the city of Detroit from the provisions of the bill;

Which motion prevailed.

The bill was ordered engrossed for a third reading.

Mr. Kelsey moved to take from the table House bill No. 84, entitled

A bill to provide for laying out and establishing a State road from Lansing, in Ingham county, to Flint, in Genesee county.

Mr. Shank moved to indefinitely postpone the motion to take the bill from the table;

Mr. Woodman demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

## YEAS.

|            |              |                |
|------------|--------------|----------------|
| Mr. Adams, | Goodrich,    | Mr. Ramsdell,  |
| Alexander, | Gregory,     | Read,          |
| Atwood,    | A. L. Green, | Shank,         |
| Baker,     | N. K. Green, | Shanahan,      |
| Beamer,    | Hadley,      | W. N. Stevens, |
| Blakeslee, | Haire,       | A. Stevens.    |
| Brownell,  | Henderson,   | Taylor,        |
| Chase,     | Hodges,      | Tibbits,       |
| Childs,    | Hood,        | Toll,          |
| Choate,    | Howell,      | Wade,          |
| Cox,       | Hurd,        | Wallin,        |
| Cutcheon,  | Joy,         | Warner,        |
| C. Davis,  | Leetch,      | Waterbury,     |
| Ira Davis, | Lockwood,    | Wheeler,       |
| Douglas,   | Persons,     | T. M. Wilson,  |
| Fallass,   | Peters,      | J. B. Wilson,  |
| Follett,   | Phelps,      | Woodman,       |
| Foote,     | Piper,       | Woodward,      |
| Fowle,     | Pringle,     | Speaker,       |
| Gilbert,   |              |                |

58

## NAYS.

|               |             |            |
|---------------|-------------|------------|
| Mr. Chapoton, | Mr. Kelsey, | Mr. Smith, |
| A. W. Davis,  | Pratt,      | Stoddard,  |
| Kanouse,      | Sessions,   | Wright,    |

9

Mr. Tibbits moved to reconsider the vote by which was passed House bill, entitled

A bill to amend section 2, of chapter 20 of compiled laws, relative to the meeting of highway commissioners;

Which motion prevailed.

The question then recurring upon the passage of the bill, a majority of all the members elect not voting therefor, it was not passed, by yeas and nays as follows :

## YEAS.

|             |                |            |
|-------------|----------------|------------|
| Mr. Childs, | Mr. Henderson, | Mr. Pratt, |
| Choate,     | Hodges,        | Sessions,  |

|       |              |           |           |
|-------|--------------|-----------|-----------|
| o tal | Chapoton,    | Hurd,     | Shank,    |
| -     | Cox,         | Joy,      | Stoddard, |
|       | Foots,       | Lockwood, | Warner,   |
|       | Fowle,       | Miller,   | Wheeler,  |
| yes   | Goodrich,    | Piper,    | Wright,   |
| :     | N. K. Green, |           |           |

22

## NAYS.

|              |             |                |
|--------------|-------------|----------------|
| Mr. Adams,,  | Mr. Hadley, | Mr. Shanahan,  |
| Alexander,   | Haire,      | Smith,         |
| Atwood,      | Hemingway,  | W. N. Stevens, |
| Baker,       | Hill,       | A. Stevens,    |
| Blakeslee,   | Hood,       | Taylor,        |
| Bunce,       | Howell,     | Tibbits,       |
| Chase,       | Kanouse,    | Toll,          |
| Cooley,      | Kelsey,     | Wade,          |
| Cutcheon,    | Leetch,     | Wallin,        |
| A. W. Davis, | Moore,      | Waterbury,     |
| C. Davis,    | Persons,    | Wetherby,      |
| Ira Davis,   | Peters,     | T. M. Wilson,  |
| Douglas,     | Peterson,   | J. B. Wilson,  |
| Fallass,     | Phelps,     | Winans,        |
| Follett,     | Pringle,    | Woodman,       |
| Gilbert,     | Rankin,     | Woodward,      |
| Gregory,     | Read,       | Speaker,       |
| A. L. Green, |             |                |

52

Mr. Pringle presented the following protest, which was received, and ordered printed in the journal :

## PROTEST.

The undersigned, deeming section 22 of the schedule appended to the Constitution to be paramount law, and that the same has been disregarded and held for naught in the action of the House, by which a "a bill to apportion anew the Representatives among the several counties and districts of this State," was passed on yesterday, respectfully protests against such action, and ask that this protest may be entered upon the journal of the House.

## EUGENE PRINGLE-

Mr. C. Davis offered the following:

*Resolved*, That until some arrangement is made to keep tobacco quids, cigar stumps, tobacco juice and other filth out of the furnace (by which this room is warmed), every member

shall have such leave of absence as may be necessary, to inhale a supply of fresh air to enable him to attend to the duties devolved upon him as a member of this House;

On motion of Mr. Morrison,

The resolution was laid on the table.

Mr. Baker moved to take from the table House joint resolution, entitled

Joint resolution for the relief of the people of Kansas;

Which motion did not prevail.

Mr. Lockwood moved to take from the table House bill No. 45, entitled

A bill to repeal chapter 122, of the revised statutes of 1846, and the amendments thereto, and provide for the collection of demands against water-craft;

Which motion prevailed.

On motion of Mr. T. M. Wilson,

The bill was recommitted to the committee on judiciary.

On motion of Mr. Howell,

The House adjourned till this afternoon at 2 o'clock.

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AFTERNOON SESSION.

2 o'clock P. M.

House met pursuant to adjournment, and was called to order by the Speaker.

Roll called : quorum present.

MESSAGE FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER,  
Lansing, March 7, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bill :

A bill to reduce the capital stock of the president, directors and company of the Peninsular bank;

Which the Senate has amended by inserting after the word

"incorporation," in line 1, section 3, the words, "act No. 185, session laws of 1849;" also, by inserting after the word "said," in the second line of the same section, the words, "section four."

The Senate has also amended the title by adding thereto, "and to amend an act to incorporate the president, directors and company of the Peninsular bank, approved March 28, 1849;"

In the passage of which, as amended, the Senate has concurred by a vote of two-thirds of all the Senators elect, and has ordered the same to take immediate effect by a like vote.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

On motion of Mr. Lockwood,

The amendment made to the bill by the Senate was concurred in, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|              |                  |                |
|--------------|------------------|----------------|
| Mr. Adams,   | Mr. N. K. Green, | Mr. Read,      |
| Alexander,   | Hadley,          | Sessions,      |
| Atwood,      | Haire,           | Shank,         |
| Beamer,      | Henderson,       | Shanahan,      |
| Blakeslee,   | Hill,            | Smith,         |
| Bunce,       | Hodges,          | W. N. Stevens, |
| Chase,       | Hood,            | A. Stevens,    |
| Childs,      | Howell,          | Stoddard,      |
| Choate,      | Hurd,            | Strong,        |
| Chapoton,    | Joy,             | Taylor,        |
| Cooley,      | Kanouse,         | Tibbits,       |
| Cox,         | Kelsey,          | Toll,          |
| Grego,       | Leetch,          | Wade,          |
| Cutcheon,    | Lockwood,        | Wallin,        |
| A. W. Davis, | Miller,          | Warner,        |
| C. Davis,    | Morrison,        | Waterbury,     |
| Ira Davis,   | Peters,          | Wetherby,      |
| Fallass,     | Peterson,        | Wheeler,       |
| Follett,     | Phelps,          | T. M. Wilson,  |
| Fowle,       | Piper,           | J. B. Wilson,  |
| Gilbert,     | Pratt,           | Winans,        |
| Goodrich,    | Pringle,         | Wright,        |
| Gregory,     | Ramsdell,        | Speaker,       |
| A. L. Green, |                  |                |

157

NAYS.

70

0

The amendment made to the title was agreed to.

**SPECIAL ORDER.**

On motion of Mr. Waterbury,

¶ The House went into committee of the whole on the special order,

Mr. Lockwood in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 173, entitled

A bill to provide for the drainage and reclamation of swamp lands by means of State roads and ditches;

Have made some amendments thereto, and have directed their chairman to report the same back to the House, and ask to be discharged.

**THOS. W. LOCKWOOD, *Chairman.***

Report accepted and committee discharged.

Mr. Howell moved to commit the bill to a select committee of five with the following instructions:

To bring in a bill to appropriate one-tenth part of the swamp lands in the organized counties in which they lie to be expended under the supervision of the local authorities of the counties;

Pending which,

Mr. Tibbits moved that the further consideration of the whole subject be indefinitely postponed;

Mr. Howell demanded the yeas and nays,

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

**YEAS.**

Mr. Chase,  
Chapoton,  
Cutcheon,  
Fowle,  
Gilbert,

Mr. Gregory,  
Henderson,  
Hodges,  
Hood,  
Leetch,

Mr. Tibbits,  
Wheeler,  
Winans,  
Woodward,



## NAYS.

|              |                  |               |
|--------------|------------------|---------------|
| Mr. Adams,   | Mr. A. L. Green, | Mr. Ramsdell, |
| Alexander,   | N. K. Green,     | Read,         |
| Atwood,      | Hadley,          | Sessions,     |
| Baker,       | Haire,           | Shank,        |
| Beamer,      | Hemingway,       | Shanahan,     |
| Blakeslee,   | Hill,            | Smith,        |
| Brownell,    | Howell,          | A. Stevens,   |
| Bunce,       | Hurd,            | Stoddard,     |
| Childs,      | Joy,             | Strong,       |
| Choate,      | Kanouse,         | Taylor,       |
| Cooley,      | Kelsey,          | Toil,         |
| Cox,         | Lockwood,        | Wade,         |
| Crego,       | Miller,          | Wallin,       |
| A. W. Davis, | Morrison,        | Warner,       |
| C. Davis,    | Moore,           | Waterbury,    |
| Ira Davis,   | Persons,         | Wetherby,     |
| Douglas,     | Peters,          | T. M. Wilson, |
| Fallass,     | Peterson,        | J. B. Wilson, |
| Follett,     | Piper,           | Wright,       |
| Foote,       | Pratt,           | Speaker,      |
| Goodrich,    | Pringle,         |               |

62

The question recurring upon the motion to commit to a select committee of five,

Mr. Ramsdell moved to commit the bill to a select committee of eleven, without instructions ;

Which motion prevailed.

The Speaker announced Messrs. Ramsdell, Waterbury, Pringle, Howell, T. M. Wilson, Persons, Pratt, Moore, Ira Davis, A. Stevens and Jones, as such committee.

On motion of Mr. Kelsey,

The House adjourned until 7½ o'clock this evening.

## EVENING SESSION.

7½ o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called : quorum present.

## SPECIAL ORDER.

On motion of Mr. Lockwood,

The House went into committee of the whole on the special order,

Mr. Waterbury in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled bill :

House bill No. 101, entitled

A bill to repeal sections 2, 3, and 4, of an act entitled an act to protect the rights and liberties of the inhabitants of this State, approved Feb. 13, 1855,

Have made some progress therein, but, not having gone through therewith, have directed their chairman to report that fact to the House, and to ask leave to sit again.

J. C. WATERBURY, *Chairman.*

Report accepted, and leave granted to sit again.

On motion of Mr. Pringle,

The bill which had been under consideration, together with House bill No. 168, entitled

A bill to amend section 25, of chapter 153 of the revised statutes of 1846, the same being section 5735 of the compiled laws of 1857, as amended by act No. 189 of the session laws of 1859,

Were made the special order for to-morrow evening at 7½ o'clock.

On motion of Mr. Smith,

The House adjourned till to-morrow morning at 9 o'clock.

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*Lansing, Friday, March 8, 1861.*

House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Vibbert.

Roll called : quorum present.

Absent at roll call, without leave, Messrs. Haire and Woodman.

Mr. Gilbert asked and obtained leave of absence for Mr. Haire, for an indefinite time, on account of sickness.

Mr. Shanahan asked and obtained leave of absence for Mr. Woodman, for an indefinite time, on account of sickness.

PETITIONS PRESENTED.

By Mr. Cutcheon: the petition of A. S. Welch, J. M. B. Sill, E. F. Riply, John Goodison, J. F. Carey, D. P. Mayhew, E. M. Foote, F. H. Pease, Albert Miller, A. D. Aldrich, E. A. Hurlbut and S. G. Tyler, Board of Instruction in Michigan State Normal School, praying for the passage of the bill providing for county superintendents of primary schools.

Laid on the table.

REPORTS OF STANDING COMMITTEES.

By the judiciary committee:

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to change the name of Sarah B. Blanchard to Sarah B. Markham, and of Charles Blanchard to Charles Markam,

Respectfully report that they have had the said bill under consideration, and that as it embraces more than one object, they deem it to be unconstitutional. They therefore recommend that the same do not pass, and ask to be discharged from the further consideration thereof.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Phelps,

The bill was laid on the table.

By the judiciary committee:

The committee on the judiciary, to whom was recommitted House bill, entitled

A bill to amend an act entitled an act further to preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors,

Respectfully report that they have had the said bill under consideration, return the same to the House, with the accompanying amendments, recommending that the amendments be

concurrent in, and that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Phelps,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the judiciary committee :

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to exempt sewing machines from levy and sale on execution,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

By the judiciary committee :

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend section 59, chapter 6, of the compiled laws, concerning the canvassing of votes at elections,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

By the judiciary committee :

The committee on the judiciary, to whom was recommitted House bill, entitled

A bill to repeal chapter 122, of the revised statutes of 1846, and the amendments thereto, and to provide for the collection of demands against water-craft,

Respectfully report that they have had the said bill under consideration, return the same to the House with the accompanying amendments, recommending that the amendments be concurred in, and that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Taylor,

The House concurred in the amendments made by the committee.

The bill was placed on the order of third reading.

By the judiciary committee :

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to quiet title in the county of Kent, and other counties,

Respectfully report that they have had said bill under consideration, return the same to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Childs,

The House concurred in the amendments made by the committee.

On motion of Mr. Gilbert,

The bill was placed on the order of third reading.

By the committee on education:

The committee on education, to whom was referred Senate bill entitled

A bill to incorporate the public schools of the city of Adrian;

Have had the same under consideration, and made sundry amendments thereto and recommend their adoption, and when so amended recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

B. L. HILL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Moore,

The House concurred in the amendments made by the committee.

On motion of Mr. Moore,

The bill was placed on the order of third reading.

By the committee on printing:

The committee on printing, who were instructed by resolution of the House to report without delay what progress has been made in printing the copies of the Governors' messages in the French and Holland languages, ordered in this House, and that if they are not printed, and cannot be furnished during the next week, they be instructed to order them not printed,

Would respectfully remind the House, that by a concurrent resolution adopted on the 5th of January, the committees on printing of both Houses were authorized to act as a joint committee in procuring the translation and printing of the Governors' messages in the foreign languages. By the action of that joint committee, the matter has been placed beyond the control of the committee on printing of this House.

Your committee would, however, report that the translation of the messages into the French languages has been completed, and the requisite number of copies printed and delivered. Your committee would further report for the information of the House, that they learn the publisher of the newspaper printed in the Holland language, in Kent county, has contracted to print the messages ordered in that language, and that a supply of paper has been forwarded to him for the work; he has also been written to, to know what progress has been made in the printing.

All of which is respectfully submitted.

F. H. RANKIN, *Chairman*.

Report accepted.

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }  
Lansing, March 7, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to transmit the following entitled bills:

1. A bill to amend an act entitled an act to provide for the incorporation of Railroad Companies, approved Feb. 12th 1855;
2. A bill relative to plank roads ;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bills were read a first and second time by their title, and referred to the committee on banks and incorporations.

Also the following :

SENATE CHAMBER, }  
Lansing, March 7, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bill :

A bill to provide for the formation of companies to construct canals or harbors, and improve the same ;

Which the Senate has amended by adding to the proviso of section 8 the words attached thereto ;

Also, adding to section 10 the proviso thereto attached ;

Also, striking out the interlineation in the fifth line of section 8 ;

In the passage of which, as amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The amendments made by the Senate to the bill were concurred in, by yeas and nays, as follows :

## YEAS.

|              |             |                |
|--------------|-------------|----------------|
| Mr. Adams,   | Mr. Hadley, | Mr. Shank,     |
| Alexander,   | Henderson,  | Shanahan,      |
| Baker,       | Hemingway,  | Smith,         |
| Beamer,      | Hood,       | W. N. Stevens, |
| Brownell,    | Hurd,       | Stewart,       |
| Bunce,       | Joy,        | Strong,        |
| Chase,       | Kanouse,    | Taylor,        |
| Childs,      | Kelsey,     | Tibbits,       |
| Cox,         | Leetch,     | Toll,          |
| Orego,       | Lockwood,   | Wade,          |
| Cutcheon,    | Miller,     | Wallin,        |
| A. W. Davis, | Morrison,   | Warner,        |
| C. Davis,    | Moore,      | Wetherby,      |
| Douglas,     | Peters,     | Wheeler,       |
| Fallass,     | Peterson,   | J. B. Wilson,  |
| Foots,       | Phelps,     | Winans,        |
| Goodrich,    | Piper,      | Woodward,      |
| Gregory,     | Rankin,     | Wright,        |
| A. L. Green, | Read,       | Speaker.       |
| N. K. Green, | Sessions,   |                |

59

## NAYS.

0

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER, }  
Lansing, March 7, 1861. }

To the Speaker of the House of Representatives:

SIR:—I am instructed to return to the House the following entitled bill:

A bill to relieve observers of the seventh day of the week from the necessity of defending suits in violation of their consciences,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*



The bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
*Lansing, March 7, 1861.* }

*To the Speaker of the House of Representatives:*

SIR :—I am instructed to return to the House the following entitled bills

1. A bill to incorporate the village of Muskegon;
2. A bill to incorporate the village of Lowell, in the county of Kent;
3. A bill to incorporate the village of Decatur;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
*Lansing, March 7, 1861.* }

*To the Speaker of the House of Representatives:*

SIR :—I am instructed to inform the House that the Senate does not recede from its non-concurrence in the amendments of the House to Senate bill No. 79, being

A bill to reorganize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture,

By which amendment "Geo. W. Germain, of Ionia county," was stricken out of line 2, section 29, and "Silas A. Yerkes of Kent county," inserted; and the Senate has appointed Senators Strickland, Tower and Withay a committee to confer with

a like committee which the House is respectfully asked to appoint, on the matter of disagreement between the two Houses.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Fallass moved that a committee on conference, to consist of five persons, be appointed to confer with the committee appointed on the part of the Senate;

Which motion prevailed.

The Speaker appointed Messrs. Fallass, Childs, Goodrich, Woodward and Wheeler, as such committee.

Also the following:

SENATE CHAMBER,  
Lansing, March 7, 1861. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following entitled bill:

A bill to amend chapter 23 of the compiled laws, relative to obstructions and encroachments of highways,

And to inform the House that the Senate has receded from its amendment, in which the House refused to concur.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Laid on the table.

Also the following:

SENATE CHAMBER,  
Lansing, March 7, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bill:

A bill to amend chapter 150 of the revised statutes of 1846, being chapter 175 of the compiled laws;

Which title the Senate has amended by adding thereto the words "authorizing the judge of probate of Wayne county to appoint a register;"

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The amendment made by the Senate to the title of the bill was agreed to.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, March 7, 1861. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to transmit the following entitled bills :

1. A bill relative to laying out, altering and discontinuing highways ;

2. A bill relative to the letting of contracts by State officers, boards of control, inspectors or commissioners ;

3. A bill to amend an act entitled an act relative to convicts sentenced to solitary confinement in the State prison for life, approved April 2d, 1849, being section 6230 of the compiled laws ;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on ways and means.

The third named bill was read a first and second time by its title, and referred to the committee on State prison.

Also the following:

SENATE CHAMBER, }  
Lansing, March 7, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bills:

1. A bill more effectually to secure the lien of mechanics and other laborers;
2. A bill to amend section 26, chapter 101, of the revised statutes of 1846, being section 3064, of the compiled laws, relative to the sale of real estate of deceased persons;
3. A bill to provide for the construction of a road in Saginaw county;
4. A bill to amend an act entitled an act disposing of certain grants of land made to the State of Michigan, for railroad purposes, approved June 3d, 1856, approved February 14, 1857;

Which have passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first and second named bills were read a first and second time by their title, and referred to the committee on judiciary.

The third named bill was read a first and second time by its title, and referred to the committee on roads and bridges.

The fourth named bill was read a first and second time by its title, and referred to the committee on internal improvement.

Also the following:

SENATE CHAMBER, }  
Lansing, March 7, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following concurrent resolution:

*Whereas*, Great destitution exists among the people of Kansas, on account of the destruction of their crops ;

*And whereas*, The Legislative Assembly of the State of Kansas have urged the importance of Legislative relief from this, and other States ;

*And whereas*, It is impossible, under the Constitution of this State, to introduce any new bill or joint resolution, at this session of the Legislature, for the appropriation of money or other purposes, it is not in the power of this Legislature to grant the desired relief ; therefore

*Resolved*, (the House concurring,) That the Senate and House of Representatives of the State of Michigan earnestly recommend to the people of this State, to take prompt and active steps for raising voluntary contributions for the relief of the suffering people of Kansas, and thus supply, in some measure, their wants and necessities, which, under other circumstances, would have been granted by the Legislature,

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

On motion of Mr. Winans,

The House concurred in the adoption of the resolution.

Also the following:

SENATE CHAMBER, }  
*Lansing, March 7, 1861.* }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bills :

1. A bill to amend sections 3 to 11 inclusive, of chapter 100, of the revised statutes of 1846, sections 4188 to 4196 inclusive, of the compiled laws, relative to referees,

2. A bill to authorize the Marshall and Ionia Plank Road Company to discontinue a portion of their road, and for other purposes ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following:

SENATE CHAMBER,  
Lansing, March 7, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bill:

A bill making an appropriation of swamp lands for the relief of James Maycroft,

Which has passed the Senate by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on public lands.

Also, the following:

SENATE CHAMBER,  
Lansing, March 7, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bills:

1. A bill to regulate the manner of attaching unorganized territory to organized counties, for judicial and municipal purposes;

2. A bill relative to brokers and exchange dealers;

Which have passed the Senate by a majority vote of all the

Senators elect, and in all of which the concurrence of the House is respectfully asked

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first bill was read a first and second time by its title, and referred to the committee on towns and counties.

The second bill was read a first and second time by its title, and referred to the committee on ways and means.

Also the following :

SENATE CHAMBER, }  
*Lansing, March 7, 1861.* }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bills :

1. A bill to authorize the Jackson County Agricultural Society to borrow money and mortgage certain real estate to secure the payment of the same;

2. A bill making the action of trespass transitory, in certain cases ;

3. A bill to organize the county of Keweenaw;

4. A bill authorizing the Auditor General to issue second tax deeds in certain cases;

5. A bill to amend an act entitled an act to organize the Michigan asylum for the insane, and more effectually to provide for the care, maintenance and recovery of the insane;

6. A bill to repeal an act entitled an act to reorganize the county of Emmett, approved February 3, 1858;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment for enrollment.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Warner moved that the committee of the whole be discharged from the further consideration of House bill No. 174, being

A bill to provide for the construction of State roads in the Upper Peninsula, under the provisions of an act entitled an act to provide for the draining and reclamation of swamp lands by means of State roads and ditches, approved Feb. 12th, 1859, and an act amendatory thereto, approved March, 1861;

Which motion prevailed.

On motion of Mr. Warner,

The bill was placed on the order of third reading.

Mr. Joy moved to take from the table House joint resolution No. 7, entitled

Joint resolution for the relief of the Detroit locomotive works;

Which motion prevailed.

The joint resolution was then placed on the order of third reading.

Mr. Atwood moved that the committee of the whole be discharged from the further consideration of House bill No. 136, being

A bill to amend sec. 75, chapter 16, of revised statutes, 1846, being sec. 567 of the compiled laws, relative to the duties of township clerk;

Which motion prevailed.

On motion of Mr. Atwood,

The bill was placed on the order of third reading.

Mr. Wright moved that the committee of the whole be discharged from the further consideration of House bill No. 171, being

A bill to attach the county of Manitou to the county of Wayne for certain judicial purposes;

Which motion prevailed.

On motion of Mr. Lockwood,



The bill was placed on the order of third reading.

Mr. Gilbert moved that the committee of the whole be discharged from the further consideration of the "general order ;"

Which motion prevailed.

Mr. Tibbits moved that the several bills be placed on the order of third reading ;

Which motion did not prevail.

Mr. Gilbert moved to reconsider the vote by which the House was discharged from the further consideration of the "general order ;"

Which motion prevailed.

The question then recurring on the motion to discharge the committee of the whole from the further consideration of the "general order,"

The motion did not prevail.

Mr. Shank offered the following :

*Resolved*, That the Sergeant-at-Arms be directed to place a light at the east steps of this House, and also at the steps at the end of the walk leading to Washington avenue, during the evening sessions of this House ;

Which motion prevailed.

#### THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Senate bill, entitled

A bill to amend an act entitled an act to authorize proceedings against garnishees and for other purposes, approved March 28, 1849, being chapter 141, compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Adams,  
Alexander,  
Atwood,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Chase,

Mr. Gregory,  
N. K. Green,  
Hadley,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,

Mr. Pringle,  
Ramsdell,  
Rankin,  
Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,

Childs,  
Choate,  
Chapoton,  
Cooley,  
Cox,  
Grego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,

Howell,  
Hurd,  
Jones,  
Joy,  
Kanouze,  
Kelsey,  
Leetch,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,

W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
Wright,  
Speaker,

72

## NAYS.

Mr. Miller,  
J. B. Wilson,

Mr. Winans,

Mr. Woodward,

4

Title agreed to.

House bill No. 123, entitled

A bill to amend sections 4742, 4747 and 4748, of the compiled laws, relating to proceedings against debtors by attachment,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Atwood,  
Baker,  
Beamer,  
Brownell,  
Chase,  
Childs,  
Choate,  
Cooley,  
Cutcheon,  
C. Davis,  
Douglas,  
Fallass,  
Follett,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,

Mr. N. K. Green,  
Hadley,  
Henderson,  
Hemingway,  
Hodges,  
Hood,  
Hurd,  
Joy,  
Lockwood,  
Persons,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Rankin,  
Read,  
Sessions,

Mr. Shank,  
Shanahan,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wallin,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
Wright,  
Speaker,

50

## NAYS.

|              |           |               |
|--------------|-----------|---------------|
| Mr. Adams,   | Mr. Hill, | Mr. Peters,   |
| Alexander,   | Howell,   | Peterson,     |
| Bunce,       | Jones,    | Ramsdell,     |
| Chapoton,    | Kanouse,  | Stoddard,     |
| Cox,         | Kelsey,   | Wade,         |
| Crego,       | Leetch,   | Warner,       |
| A. W. Davis, | Miller,   | J. B. Wilson, |
| Ira Davis,   | Morrison, | Winans,       |
| Foote,       | Moore,    | Woodward,     |
| Fowle,       |           |               |

28

Title agreed to.

Senate bill, entitled

A bill to amend an act entitled an act to amend an act to incorporate the village of Kalamazoo, and the acts amendatory thereto, approved April 1st, 1850, and the acts amendatory thereto,

Being under consideration,

On motion of Mr. Read,

The reading of the bill *in extenso* was dispensed with.

The bill was then read a third time, by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|            |                  |                |
|------------|------------------|----------------|
| Mr. Adams, | Mr. N. K. Green, | Mr. Rankin,    |
| Alexander, | Hadley,          | Read,          |
| Baker,     | Henderson,       | Sessions,      |
| Brownell,  | Hill,            | Shank,         |
| Bunce,     | Hodges,          | Shanahan,      |
| Chase,     | Howell,          | Smith,         |
| Childs,    | Hurd,            | W. N. Stevens, |
| Choate,    | Jones,           | A. Stevens,    |
| Chapoton,  | Joy,             | Stewart,       |
| Cooley,    | Kanouse,         | Stoddard,      |
| Cox,       | Kelsey,          | Strong,        |
| Crego,     | Leetch,          | Tibbits,       |
| Cutcheon,  | Lockwood,        | Toll,          |
| C. Davis,  | Miller,          | Wade,          |
| Ira Davis, | Morrison,        | Wallin,        |
| Douglas,   | Moore,           | Warner,        |
| Fallase,   | Persons,         | Waterbury,     |
| Follett,   | Peters,          | Wetherby,      |

Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,

Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,

Wheeler,  
J. B. Wilson,  
Winans,  
Woodward,  
Wright,  
Speaker, 72

## NAYS.

Mr. A. W. Davis, Mr. Taylor, 2

The question being upon agreeing to the title,

Mr. Read offered the following as a substitute therefor:

"A bill to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts."

Mr. Howell moved to strike out all after the word "Kalamazoo;"

Which motion did not prevail.

The substitute for the title was then adopted, and the title, as amended, agreed to.

On motion of Mr. Read,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 113, entitled

A bill to authorize religious, eleemosynary and other corporations, not municipal, to sell, convey, exchange or mortgage real estate for certain purposes,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,  
Baker,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cox,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,

Mr. Hemingway,  
Hill,  
Hodges,  
Hood,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,

Mr. Read,  
Sessions,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,

Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Henderson,

Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,  
Rankin,

Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodward,  
Wright,

70

## NAYS.

Mr. Adams,  
Beamer,

Mr. Shank,

Mr. Speaker,

4

Title agreed to.

On motion of Mr. Pringle,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to restore certain sections of land to the township of Cottrellville, in the county of St. Clair,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cooley,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,

Mr. N. K. Green,  
Hadley,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,

Mr. Ramsdell,  
Rankin,  
Read,  
Sessions,  
Shank  
Shanahan,  
Smith,  
W. N. Stevens  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Warner,  
Waterbury,  
Wheeler,

Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,

Phelps,  
Piper,  
Pratt,  
Pringle,

J. B. Wilson,  
Winans,  
Wright,  
Speaker, 63

# NAYS.

Mr. Wallin, Mr. T. M. Wilson, Mr. Woodward, 3

Title agreed to.

On motion of Mr. Smith,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 29, entitled

A bill to provide for the signing of decrees, records, and journals of courts of record,

Being under consideration,

Mr. Howell moved to recommit the bill to the committee on judiciary, with instructions to strike out section two;

Which motion did not prevail.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

# YEAS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cooley,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,

Mr. N. K. Green,  
Hadley,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,

Mr. Ramsdell,  
Rankin,  
Sessions,  
Shank,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wheeler,  
T. M. Wilson,  
Wright,

Gregory,  
A. L. Green,

Pringle,

Speaker,

64

NAYS.

r. A. W. Davis,  
Howell,  
Jones,

Mr. Miller,  
Shanahan,  
J. B. Wilson,

Mr. Winans,  
Woodward,

8

Title agreed to.

House bill No. 124, entitled

A bill to provide for laying out and establishing highways on  
lines dividing this from other States,

Was read a third time and passed, a majority of all the mem-  
bers elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cooley,  
Cox,  
Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,

Mr. A. L. Green,  
N. K. Green,  
Hadley,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Jones,  
Joy,  
Kanduse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,

Mr. Pratt,  
Rankin,  
Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Woodward,  
Wright,  
Speaker,

72

NAYS.

0

Title agreed to.

House bill, entitled

A bill making appropriations for the support of the State nor-  
mal school,

Being under consideration,

Mr. Cutcheon moved to recommit the bill to the committee on ways and means, with instructions so to amend the same as to make an appropriation of \$1,000 for the purchase of books to supply, in part, the place of the library recently burned;

Mr. Cutcheon demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

## YEAS.

|            |              |            |
|------------|--------------|------------|
| Mr. Adams, | Mr. Gregory, | Mr. Pratt, |
| Alexander, | Hadley,      | Rankin,    |
| Baker,     | Henderson,   | Read,      |
| Bunce,     | Hill,        | Shank,     |
| Childs,    | Howell,      | Stewart,   |
| Cox,       | Hurd,        | Taylor,    |
| Orego,     | Kanouse,     | Wade,      |
| Cutcheon,  | Leetch,      | Wallin,    |
| Follett,   | Persons,     | Waterbury, |
| Goodrich,  | Peterson,    | Winans,    |

30

## NAYS.

|              |                  |                |
|--------------|------------------|----------------|
| Mr. Beamer,  | Mr. N. K. Green, | Mr. Shanahan,  |
| Brownell,    | Hemingway,       | Smith,         |
| Chase,       | Hodges,          | W. N. Stevens, |
| Choate,      | Hood,            | Stoddard,      |
| Chapoton,    | Jones,           | Strong,        |
| Cooley,      | Joy,             | Tibbits,       |
| A. W. Davis, | Lockwood,        | Toll,          |
| C. Davis,    | Miller,          | Warner,        |
| Ira Davis,   | Morrison,        | Wheeler,       |
| Douglas,     | Moore,           | T. M. Wilson,  |
| Foote,       | Phelps,          | J. B. Wilson,  |
| Fowle,       | Piper,           | Woodward,      |
| Gilbert,     | Ramsdell,        | Wright,        |
| A. L. Green, | Sessions,        | Speaker,       |

42

The question recurring upon the passage of the bill, it was passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|            |                  |              |
|------------|------------------|--------------|
| Mr. Adams, | Mr. N. K. Green, | Mr. Pringle, |
| Alexander, | Hadley,          | Ramsdell,    |
| Baker,     | Henderson,       | Rankin,      |
| Beamer,    | Hemingway,       | Read,        |



Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Fallass,  
Follett,  
Foote,  
Fowler,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,

Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peterson,  
Phelps,  
Piper,  
Pratt,

Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
Stoddard,  
Strong,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wheeler,  
J. B. Wilson,  
Winans,  
Woodward,  
Wright,

67

## NAYS.

Mr. Cooley,  
Douglas,

Mr. T. M. Wilson,

Speaker,

Title agreed to.

House bill No. 117, being

A bill to amend and add to chapter 132, of compiled laws,  
entitled of homestead exemptions,

Being under consideration,

On motion of Mr. Tibbits,

The reading of the bill *in extenso* was dispensed with.

The bill was then read a third time, by its title, and passed,  
a majority of all the members elect voting therefor, by yeas and  
nays, as follows :

## YEAS.

Mr. Adams,  
Alexander  
Baker,  
Beamer,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,

Mr. N. K. Green,  
Hadley,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,

Mr. Ramsdell,  
Rankin,  
Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
Stoddard,

Crego,  
Cutcheon  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,

Joy,  
Kanouse,  
Leetch,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,

Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wheeler,  
J. B. Wilson,  
Winans,  
Wright,  
Speaker,

66

NAYS.

Mr. Stewart,

1

Title agreed to.

House bill No. 121, entitled

A bill to authorize boards of health to dispose of real estate,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

• Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cox,  
Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,

Mr. A. L. Green,  
Hadley,  
Henderson,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,

Mr. Rankin,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wheeler,  
J. B. Wilson,  
Winans,  
Woodward,  
Wright,  
Speaker,

71

## NAYS.

0

Title agreed to.

House bill No. 122, entitled

A bill to protect the owners of sheep from damage done by dogs,

Was read a third time and a majority of all the members elect not voting therefor, it was not passed, by yeas and nays, as follows :

## YEAS.

|                |             |               |
|----------------|-------------|---------------|
| Mr. Alexander, | Mr. Hadley, | Mr. Smith,    |
| Beamer,        | Hodges,     | Stewart,      |
| Bunce,         | Howell,     | Strong,       |
| Childs,        | Hurd,       | Tibbits,      |
| A. W. Davis,   | Kanouse,    | Wade,         |
| C. Davis,      | Leetch,     | Wallin,       |
| Ira Davis,     | Morrison,   | Warner,       |
| Fallass,       | Moore,      | Waterbury,    |
| Follett,       | Piper,      | Wheeler,      |
| Fowle,         | Rankin,     | J. B. Wilson, |
| Gilbert,       | Read,       | Winans,       |
| Goodrich,      | Sessions,   | Woodward,     |
| A. L. Green,   | Shank,      | Wright,       |
| N. K. Green,   | Shanahan,   |               |

41

## NAYS.

|            |            |                |
|------------|------------|----------------|
| Mr. Adams, | Mr. Foote, | Mr. Phelps,    |
| Baker,     | Gregory,   | Pringle,       |
| Brownell,  | Henderson, | W. N. Stevens, |
| Chase,     | Hood,      | A. Stevens,    |
| Choate,    | Joy,       | Stoddard,      |
| Cutcheon,  | Lockwood,  | Taylor,        |
| Cox,       | Persons,   | Toll,          |
| Crego,     | Peters,    | T. M. Wilson,  |
| Douglas,   | Peterson,  | Speaker,       |

27

Pending the announcement of the vote,

Mr. Howell moved a call of the House;

Which motion did not prevail.

Mr. Pringle moved to reconsider the vote by which the House refused to pass the bill.

Mr. Crego moved to lay the motion to reconsider on the table.

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion to lay the motion to reconsider on the table did not prevail, by yeas and nays, as follows :

## YEAS.

Mr. Chase,  
Choate,  
Cooley,

Mr. Cox,  
Crego,  
Hood,

Mr. Miller,  
Stoddard,  
Taylor,

9

## NAYS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Childs,  
Chapoton,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,

Mr. N. K. Green,  
Hadley,  
Henderson,  
Hill,  
Hodges,  
Howell,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,

Mr. Pringle,  
Ramsdell,  
Rankin,  
Sessions,  
Shank,  
Shannahan,  
Smith,  
Strong,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winahs,  
Woodward,  
Wright,  
Speaker,

61

The question recurring upon the motion to reconsider the vote whereby the House refused to pass the bill,

Mr. Pratt demanded the previous question.

The demand was seconded, and the main question ordered.

The motion to reconsider prevailed.

The question then recurring upon the passage of the bill,

Mr. A. Stevens moved to recommit the bill to the committee on agriculture and manufactures, with instructions to so amend the bill as to leave the power of legislation on dogs in the boards of supervisors of the respective counties;

Mr. Lockwood moved to amend the motion by recommitting the bill to a select committee of five without instructions;

Mr. Baker demanded the previous question ;

Mr. Childs moved a call of the House ;

Which motion did not prevail.

The main question was then ordered.

The question being upon the amendment to the motion to re-commit the bill,

The motion did not prevail.

The motion to recommit did not prevail.

The question recurring upon the passage of the bill it was passed, a majority of all the members elect voting therefor, by yeas and nays as follows :

#### YEAS.

|                |                |               |
|----------------|----------------|---------------|
| Mr. Alexander, | Mr. Hemingway, | Mr. Rankin,   |
| Baker,         | Hill,          | Read,         |
| Beamer,        | Hodges,        | Sessions,     |
| Bunce,         | Howell,        | Shank,        |
| Childs,        | Hurd,          | Shanahan,     |
| Chapoton,      | Jones,         | Smith,        |
| A. W. Davis,   | Kanouse,       | Stewart,      |
| C. Davis,      | Kelsey,        | Strong,       |
| Ira Davis,     | Leetch,        | Tibbits,      |
| Fallass,       | Morrison,      | Wade,         |
| Follett,       | Moore,         | Wallin,       |
| Foote,         | Persons,       | Waterbury,    |
| Fowle,         | Peters,        | Wheeler,      |
| Gilbert,       | Phelps,        | J. B. Wilson, |
| Goodrich,      | Piper,         | Winans,       |
| A. L. Green,   | Pratt,         | Woodward,     |
| N. K. Green,   | Ramsdell,      | Wright,       |
| Hadley,        |                |               |

52

#### NAYS.

|               |                |                    |
|---------------|----------------|--------------------|
| Mr. Brownell, | Mr. Henderson, | Mr. W. N. Stevens, |
| Chase,        | Hood,          | Stoddard,          |
| Choate,       | Joy,           | Taylor,            |
| Oooley,       | Lockwood,      | Toll,              |
| Cox,          | Miller,        | Warner,            |
| Orego,        | Peterson,      | Speaker,           |
| Douglas,      | Pringle,       |                    |

20

Title agreed to.

On motion of Mr. J. B. Wilson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Howell,

The House adjourned until 2 o'clock this afternoon.

—  
AFTERNOON SESSION.

2 o'clock P. M.

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

The House resumed business under the order of

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Senate bill No. 102, entitled

A bill to authorize the board of supervisors of the county of Ontonagon, to raise money by tax, or otherwise, for the protection and improvement of the harbor at the mouth of the Ontonagon river,

Was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|            |              |                |
|------------|--------------|----------------|
| Mr. Adams, | Mr. Gregory, | Mr. Rankin,    |
| Atwood,    | Hadley,      | Read,          |
| Baker,     | Henderson,   | Sessions,      |
| Beamer,    | Hemingway,   | Shank,         |
| Brownell,  | Hill,        | Smith,         |
| Bunce,     | Hodges,      | W. N. Stevens, |
| Chase,     | Hurd,        | A. Stevens,    |
| Childs,    | Howell,      | Stoddard,      |
| Choate,    | Jones,       | Strong,        |
| Chapoton,  | Joy,         | Taylor,        |
| Cooley,    | Kanouse,     | Tibbits,       |
| Cox,       | Leetch,      | Toll,          |
| Crego,     | Miller,      | Wade,          |
| Cutcheon,  | Moore,       | Warner,        |
| Ira Davis, | Peterson,    | Wetherby,      |
| Douglas,   | Peters,      | T. M. Wilson,  |
| Follett,   | Peterson,    | J. B. Wilson,  |
| Foote,     | Phelps,      | Winans,        |
| Fowle,     | Piper,       | Woodward,      |

Gilbert,  
Goodrich,

Pratt,  
Pringle,  
NAYS.

Wright,  
Speaker, 63  
0

Title agreed to.

On motion of Mr. Douglas,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate joint resolution, entitled

Joint resolution to authorize the Board of State Auditors to audit and allow the claim of William Beard, in the matter of the improvement of navigation over the sand flats of the Muskegon river, and to authorize the Commissioner of the State Land Office to issue patents of State swamp land therefor,

Being under consideration;

Mr. Alexander moved to lay the joint resolution on the table;

Which motion did not prevail.

The joint resolution was then read a third time and passed, two thirds of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Adams,  
Baker,  
Beamer,  
Bunce,  
Chase,  
Choate,  
Chapoton,  
Cooley,  
Crego,  
A. W. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Goodrich,  
A. L. Green,  
N. K. Green,  
Hadley,  
Hemingway,

Mr. Hill,  
Hood,  
Howell,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Morrison,  
Moore,  
Peters,  
Persons,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Rankin,

Mr. Read,  
Sessions,  
Shank,  
Smith,  
A. Stevens,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Wade,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodward,  
Wright,  
Speaker,

## NAYS.

|                                                               |                                                   |                                                   |
|---------------------------------------------------------------|---------------------------------------------------|---------------------------------------------------|
| Mr. Alexander,<br>Atwood,<br>Brownell<br>Childs,<br>Cutcheon, | Mr. Gilbert,<br>Gregory,<br>Henderson,<br>Hodges, | Mr. Miller,<br>W. N. Stevens,<br>Toll,<br>Wallin, |
|---------------------------------------------------------------|---------------------------------------------------|---------------------------------------------------|

13

Title and preamble agreed to.

On motion of Mr. Hill,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

Senate bill No. 18, entitled

A bill to amend sec. 364, of chapter 10, of the compiled laws, relative to the compensation of supervisors,

Was read a third time, and a majority of all the members elect not voting therefor, was not passed, by yeas and nays, as follows:

## YEAS.

|                                                                                                                                                  |                                                                                                                                         |                                                                                                                                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| Mr. Adams,<br>Alexander,<br>Brownell,<br>Chase,<br>Crego,<br>Douglas,<br>Follett,<br>Fowle,<br>Gilbert,<br>Goodrich,<br>Henderson,<br>Hemingway, | Mr. Hill,<br>Howell,<br>Hurd,<br>Kanouse,<br>Leetch,<br>Lockwood,<br>Miller,<br>Morrison,<br>Persons,<br>Pratt,<br>Ramsdell,<br>Rankin, | Mr. Read,<br>Shank,<br>A. Stevens,<br>Stoddard,<br>Toll,<br>Wallin,<br>Wetherby,<br>Wheeler,<br>T. M. Wilson,<br>J. B. Wilson,<br>Wright, |
|--------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|

35

## NAYS

|                                                                                                                                                          |                                                                                                                                                       |                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mr. Atwood,<br>Baker,<br>Beamer,<br>Bunce,<br>Ohilds,<br>Choate,<br>Chapoton,<br>Cooley,<br>Cox,<br>Cutcheon,<br>A. W. Davis,<br>O. Davis,<br>Ira Davis, | Mr. Gregory,<br>A. L. Green,<br>N. K. Green,<br>Hadley,<br>Hodges,<br>Hood,<br>Jones,<br>Joy,<br>Kelsey,<br>Moore,<br>Peters,<br>Peterson,<br>Phelps, | Mr. Sessions,<br>Shanahan,<br>Smith,<br>W. N. Stevens,<br>Stewart,<br>Strong,<br>Taylor,<br>Tibbits,<br>Wade,<br>Warner,<br>Waterbury,<br>Winans,<br>Woodward, |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|



Fallass,  
Foote,

Piper,  
Pringle,

Speaker,

44

Senate bill No. 104, entitled

A bill to amend section 5860 of compiled laws, in reference to the crime of polygamy,

Being under consideration,

Mr. Pringle moved to recommit the bill to the judiciary committee, with instructions to strike out all after the word "matrimony," in the 8th line of the bill;

Which motion did not prevail.

The bill was then read a third time, and a majority of all the members elect not voting therefor, was not passed, by yeas and nays, as follows :

#### YEAS.

Mr. Atwood,  
Brownell,  
Chase,  
Childs,  
Choate,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Foote,

Mr. Gilbert,  
Goodrich,  
N. K. Green,  
Haire,  
Hodges,  
Howell,  
Hurd,  
Jones,  
Lockwood,  
Peters,  
Peterson,

Mr. Phelps,  
Piper,  
Ramsdell,  
Smith,  
W. N. Stevens,  
Tibbits,  
Toll,  
Wallin,  
Waterbury,  
Winans,  
Wright, 33

#### NAYS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Bunce,  
Cooley,  
Cox,  
A. W. Davis,  
Fallass,  
Follett,  
Gregory,  
A. L. Green,  
Hadley,

Mr. Henderson,  
Hemingway,  
Hill,  
Hood,  
Joy,  
Kanouse,  
Kelsey,  
Miller,  
Morrison,  
Moore,  
Pratt,  
Pringle,  
Rankin,

Mr. Read,  
Sessions,  
Shank,  
Shanahan,  
A. Stevens,  
Stoddard,  
Taylor,  
Wade,  
Warner,  
Wetherby,  
Wheeler,  
Woodward,  
Speaker, 39

House bill No. 108, entitled

A bill to organize the county of Bleecker,

Being under consideration,

On motion of Mr. Morrison,

The reading of the bill *in extenso* was dispensed with.

The bill was then read a third time, by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|              |           |                |
|--------------|-----------|----------------|
| Mr. Adams,   | Mr. Hurd, | Mr. Sessions,  |
| Baker,       | Jones,    | Shank,         |
| Chase,       | Joy,      | Shanahan,      |
| Childs,      | Kanouse,  | Smith,         |
| Choate,      | Kelsey,   | W. N. Stevens, |
| Chapoton,    | Leetch,   | A. Stevens,    |
| A. W. Davis, | Lockwood, | Stoddard,      |
| Ira Davis,   | Miller,   | Strong,        |
| Douglas,     | Morrison, | Taylor,        |
| Follett,     | Moore,    | Wallin,        |
| Goodrich,    | Peters,   | Warner,        |
| Gregory,     | Peterson, | Waterbury,     |
| A. L. Green, | Phelps,   | Wetherby,      |
| N. K. Green, | Pratt,    | T. M. Wilson,  |
| Hadley,      | Pringle,  | J. B. Wilson,  |
| Henderson,   | Ramsdell, | Winans,        |
| Hemingway,   | Rankin,   | Wright,        |
| Hill,        | Read,     | Speaker,       |
| Hood,        |           |                |

55

## NAYS.

|                |            |            |
|----------------|------------|------------|
| Mr. Alexander, | Mr. Foote, | Mr. Piper, |
| Atwood,        | Fowle,     | Tibbits,   |
| Beamer,        | Gilbert,   | Toll,      |
| Cooley,        | Hodges,    | Wade,      |
| Crego,         | Howell,    | Wheeler,   |
| Cutcheon,      | Persons,   |            |

17

Title agreed to.

On motion of Mr. J. B. Wilson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House joint resolution, entitled

Joint resolution for the relief of the Detroit locomotive works;

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|              |             |               |
|--------------|-------------|---------------|
| Mr. Atwood,  | Mr. Hadley, | Mr. Read,     |
| Baker,       | Henderson,  | Sessions,     |
| Beamer,      | Hill,       | Shank,        |
| Brownell,    | Hurd,       | Shanahan,     |
| Bunce,       | Joy,        | Smith,        |
| Chase,       | Kanouse,    | A. Stevens,   |
| Childs,      | Kelsey,     | Stoddard,     |
| Choate,      | Leetch,     | Strong,       |
| Chapoton,    | Lockwood,   | Tibbits,      |
| Cooley,      | Morrison,   | Toll,         |
| Crego,       | Moore,      | Wade,         |
| Cutcheon,    | Persons,    | Wallin,       |
| Ira Davis,   | Peters,     | Waterbury,    |
| Fallass,     | Peterson,   | Wetherby,     |
| Follett,     | Phelps,     | T. M. Wilson, |
| Foote,       | Piper,      | J. B. Wilson, |
| Fowle,       | Pratt,      | Winans,       |
| Gilbert,     | Pringle,    | Woodward,     |
| Goodrich,    | Ramsdell,   | Wright,       |
| A. L. Green, | Rankin,     | Speaker,      |
| N. K. Green, |             |               |

61

## NAYS.

|          |             |                    |
|----------|-------------|--------------------|
| Mr. Cox, | Mr. Hodges, | Mr. W. N. Stevens, |
| Douglas, | Howell,     | Wheeler,           |
| Gregory, | Miller,     |                    |

3

Title and preamble agreed to.

House bill, entitled

A bill to provide for the re-organization and government of the University of Michigan,

Was read a third time, and the question being upon the passage of the bill,

Mr. Pratt demanded the previous question.

The demand was seconded, and the main question ordered.

The bill was passed, a majority of all the members elect voting therefor, by yeas and nays as follows :

## YEAS.

|                |                |             |
|----------------|----------------|-------------|
| Mr. Alexander, | Mr. Hemingway, | Mr. Read,   |
| Baker,         | Hill,          | Shanahan,   |
| Beamer,        | Hodges,        | Smith,      |
| Chase,         | Hood,          | A. Stevens. |
| Cooley,        | Howell,        | Stewart,    |

Cox,  
Orego,  
A. W. Davis;  
C. Davis,  
Ira Davis,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
Henderson,

Jones,  
Kanouse,  
Kelsey,  
Leetch,  
Miller,  
Morrison,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,

Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
T. M. Wilson,  
J. B. Wilson,  
Wright, 51

### NAYS.

Mr. Adams,  
Atwood,  
Brownell,  
Bunce,  
Childs,  
Choate,  
Douglas,  
Fallass,  
A. L. Green,

Mr. N. K. Green,  
Hadley,  
Joy,  
Lockwood,  
Moore,  
Pringle,  
Ramsdell,  
Rankin,

Mr. Sessions,  
Shank,  
W. N. Stevens,  
Toll,  
Wheeler,  
Winans,  
Woodward,  
Speaker, 25

The question being upon agreeing to the title,

Mr. Hill offered the following substitute therefor:

A bill to provide for the organization of the homeopathic branch of the University of Michigan;

Which was adopted.

The title, as amended was then agreed to.

Mr. T. M. Wilson moved to reconsider the vote whereby the bill was passed.

Mr. Pratt moved to lay the motion to reconsider on the table;  
Which motion prevailed.

Mr. Joy presented the following protest, which was received and ordered printed in the Journal :

### PROTEST:

The undersigned respectfully protest against, and enter their dissent against the passage of the act, entitled

An act to provide for the organization of the homeopathic branch of the University of Michigan,

And respectfully assign the reasons for their said dissent and protest.

The first, but not the most important reason—though in itself sufficient to determine their votes against the bill, whatever might be the merits of it—is that it was introduced into this House after the expiration of fifty days from the commencement of the session. The constitution, as amended, prohibits the introduction of bills after the expiration of that period. The object is unquestionably to limit the length of the session, by fixing a period during which bills may be introduced, and after which none shall be brought before the Houses; and of course the session must be limited to action upon the bills introduced during the first fifty days, and must terminate when those bills are acted upon. This is the rule established by the constitution, and is the mode adopted to prevent unnecessarily long and expensive sessions. It is clear in its provisions, and its object perfectly plain.

It is equally clear that if the bill in question may be brought before this House to-day, by taking from the table a bill to provide for the re-organization and government of the University of Michigan—a copy of which, marked "Exhibit A," is hereto attached and forms a part hereof—and striking out all after the enacting clause, and inserting thereafter a bill upon another and different subject not germane to the original bill, and aiming at a different result; and then changing the title to suit the subject, there may be, after the fifty days shall have expired, any number of new bills, embracing new subjects, or rather, any number not exceeding the number of bills laid upon the table during the sessions in both Houses. None can fail to see that in this way, the policy and object of the constitution may be entirely defeated in this respect, and this provision directly violated and set aside. The guise under which the new bill comes, assuming the title of a bill before the House, and then dispensing with the title and assuming a new one to suit its character—cannot change the nature of the transaction. It is a new bill, embracing a new subject, and could not possibly be received if it came directly before the House, but must be ruled out of order and rejected by the Speaker, of necessity.

That the same thing comes before the House in this circuitous way, has no tendency to make that lawful which would be otherwise in violation of law. It is, in the judgment of the undersigned, an attempt to evade a restriction, to avoid a direct prohibition, which courts of law administering law never tolerate—the maxims of law as well as of good sense being, that, what cannot be done directly shall not be done indirectly, and a maxim which especially law makers should regard and ever act upon. For this, the least important of the reasons, the undersigned feel called upon to protest against the passage of this act.

Another and much more important reason, however, yet remains, and that is that the subject, or object, of the bill, is beyond the power of the Legislature. The Constitution of the State (sec. 6, art. 13,) provides that there shall be elected in each judicial circuit, a Regent of the University, whose term of office shall be the same as that of the said judge. The Regents elected shall constitute the Board of Regents of the University of Michigan. The next section provides that they shall continue to constitute the body corporate known by the name and title of the Regents of the University of Michigan. The next section provides that the Board of Regents shall have the general supervision of the University, and the direction and control of all the expenditures from the University Interest Fund.

The undersigned care not to comment upon the objects of the provisions any further than they speak for themselves. It is clear that the general supervision of the University is by the Constitution given to the Regents, and not to the Legislature. It is clear also that the direction and control of all expenditures from the university interest fund is given to the board of regents, and not to the Legislature. It is the control of all such expenditures which is thus given, and not of a part. It is given to men elected by the people, and independent, and intended to be independent, of the Legislature; not responsible to it, but to their constituents, and to them alone, and under that responsibility they must direct and con-

control all expenditures from that interest fund. This is the language of the Constitution, and it would seem to be so plainly expressed and unambiguous, that there could be no doubt of its meaning. If the Legislature can assume the responsibility of the Regents and direct and control the expenditure of \$3,000 of that interest fund to establish a chair of homeopathy at Detroit, it may equally establish one for the eclectic system at Pontiac, and for another system at Grand Rapids.

If the Legislature may lay its hands on \$3,000 of that fund, it may equally take \$5,000, or \$10,000 or \$40,000, and leave the regents without any funds with which to direct or control the expenditure. The principle which will enable it to do the one will equally enable it to do the other.

It needs nothing further to show that notwithstanding the constitutional protection thrown around the University—notwithstanding the regents are independent of the Legislature, owing no duty to it—are elected by the people, and with constitutional rights and duties—yet if this bill may legally pass, it may equally pass others of the same nature until the regents are divested of the direction and control of every dollar of the interest fund, and the whole University laid prostrate and ruined. One interest may this year demand this appropriation in this body and another interest may make another demand the next, until all is gone.

It seems to the undersigned that these positions are the true ones—that this Legislature might as well endeavor to regulate the duties of the executive, to control the decisions of the judges, as to regulate and control the duties of the regents—equally constitutional offices—equally independent of the Legislature—and equally charged with important duties, and for the faithful and just and wise discharge of which they are equally responsible to the people who place them in office.

It is for these reasons, and because, for these reasons, the undersigned see no stability and safety for the University, and

believe that if such bills may pass, the Constitution is in this respect virtually abrogated, and all its provisions relative to that institution rendered futile, that the undersigned respectfully make this, their protest, against the passage of this act.

T. J. Ramsdell,  
N. K. Green,  
Thomas F. Moore,  
F. H. Rankin,  
Alexander Toll,  
E. B. Winans,  
M. M. Atwood,  
A. L. Green,  
John Hadley, Jr.,  
L. Woodward,  
Wm. Chapoton,  
Wm. N. Stevens.

James F. Joy,  
Thos. W. Lockwood,  
S. M. Cutcheon,  
James Webster Childs,  
H. B. Shank,  
Emerson Choate,  
Wm. Brownell,  
C. C. Douglas,  
Ezra C. Adams,  
Eugene Pringle,  
S. S. Fallass,

#### "EXHIBIT A."

A BILL to provide for the re-organization and government of the the University of Michigan.

Sec. 1. *The People of the State of Michigan enact*, That the regents of the university and their successors in office, shall constitute a body corporate, known by the name and style of the regents of the university of Michigan, with the right of suing and of being sued in their corporate name, and of contracting in relation to the expenditures from year to year of the university interest fund; and may have and use a common seal, and alter the same at pleasure.

Sec. 2. The board of regents, with the concurrence of the Senate of the university, shall have power to enact ordinances, by-laws and regulations for the government of the university, and to alter the same from time to time. The board shall have power to fix, increase and reduce, from time to time, the number of professors, assistant professors, tutors and others officers and employees; to prescribe their respective duties, and the amount of their respective salaries, and the salary of the president.



Sec. 3. They shall have power to appoint a secretary and treasurer of the board during pleasure, and to elect a president of the university whenever a vacancy shall occur, by removal from office, death or resignation.

Sec. 4. They shall have power to remove the president, any professor, assistant professor or tutor, the librarian, steward and any other officer or employee of the university whenever the interest of the institution shall require it. But the president shall not be removed without the concurrence of two-thirds of all the regents.

Sec. 5. The board of regents shall have power to regulate the course of instruction and prescribe with and under the advice of the several and respective faculties, the books to be used in the several departments; and also to confer such degrees and grant such diplomas as are usually conferred and granted by similar institutions.

Sec. 6. The university shall consist of at least three departments:

1. A department of literature, science and the arts;
2. A department of law;
3. A department of medicine;
4. Such other departments may be added as the regents shall deem necessary, and the state of the university fund shall allow.

Sec. 7. The regents shall provide for the arrangement and selection of a course or courses of study in the university, for such students as may not desire to pursue the usual collegiate course in the department of literature, science, and the arts, embracing the ancient languages; and to provide for the admission of such students without previous examination as to their attainments in said languages, and for granting such certificates or diplomas at the expiration of such course or term of such students, as may be appropriate to their respective attainments.

Sec. 8. No expenditure shall be made from the university fund, or from the university interest fund, except in pursuance of appropriations to be made by the board of regents. The board shall

have a general supervision of the university, and each of the departments thereof; but neither any committee of the board, nor any member of a committee thereof, shall exercise any executive power in or over the university, or in the expenditure of any moneys for the same.

Sec. 9. The president of the university, together with the professors and assistant professors of the several departments thereof, shall constitute the faculty of the departments respectively; and the president, professors and assistant professors of all the departments, shall constitute the senate of the university, a majority of whom shall constitute a quorum to do business.

Sec. 10. The president shall be the principal executive officer of the university, and the presiding officer of the board of regents, of the senate of the university, of the faculty of each of the departments thereof, and of the library committee, and shall have the immediate direction of the librarian, steward, janitors, and of all the subordinate employees of the university, subject to the by-laws, rules, ordinances, instructions and resolutions that may be adopted.

Sec. 11. The immediate government of the several departments, shall be vested in the several faculties. A library committee shall be composed of the president, the librarian, and of one member from, and selected by, the faculty of each of the departments. The librarian shall be the secretary of the senate of the university, and of the library committee, and shall keep and preserve records of their respective acts and proceedings. Moneys appropriated by the regents for the library, shall be expended by or under the direction of the library committee, for such books, periodicals, maps, &c., as shall be selected by the committee, under and in pursuance of the appropriation and the instructions, if any, contained therein.

Sec. 12. The professors, assistant professors, tutors and all other teachers, and also the librarian, steward, janitors and all other subordinate officers and employees of the university, not otherwise provided for, shall be selected by the president of the university, with the advice and consent of the senate, and when

so selected, they shall be nominated by the president to the board of regents, and appointed by the president, by and with the advice and consent of the board; but in the recess of the board, they may be appointed by the president, by and with the advice and consent of the senate of the university, until the next meeting of the board of regents. Any of the officers and employees provided for in this section, except the professors and assistant professors, may be removed at pleasure, by the president, with the advice and concurrence of the senate of the university.

Sec. 13. The fee of admission to the university, shall not exceed ten dollars.

Sec. 14. The university shall be open to all persons resident of this State, without charge of tuition, under the regulations prescribed in the rules and by-laws of the institution, and to all other persons, under such regulations and restrictions as the board may prescribe, with the concurrence of the senate.

Sec. 15. The moneys received from students for admission and other fees, shall be expended under the direction of the regents, to pay for fuel, lights and other incidental expenses of the institution, and in keeping the university buildings in repair and in good condition, and the balance, if any, shall be appropriated for the increase of the library.

Sec. 16. From the increase arising from the interest of the university fund, the regents may provide for the erection, from time to time, of such buildings as may be necessary for the use of the university, on the university grounds; and they shall have power to direct the expenditure of so much of the interest arising from the university fund, as they may deem expedient, for improving and ornamenting the university grounds, for the purchase of philosophical, chemical, meteorological and other apparatus, and to keep the same in good condition, and for books, maps and periodicals for the library.

Sec. 17. All orders on the treasurer shall be drawn and signed by the secretary of the board of regents, and countersigned by

the president, and the accounts for all expenses and disbursements shall be audited by the board.

Sec. 18. There shall be two regular meetings of the board of regents annually, commencing on the day previous to the last Wednesday in March, and the day previous to the annual commencement day in June. The regents may hold adjourned meetings and such extra meetings as may be called by the president or the senate of the university, if there be no president. A majority shall constitute a quorum to do business, and a less number may adjourn from time to time.

Sec. 19. The president shall make a report annually to the board of regents at their meeting in June, of the transactions of the faculty, the condition of the university and its several departments, the number of students therein, and the expenditures and disbursements since the next previous report; and he may make such recommendations as he may think advisable for the good of the university; and if the professors, or any three of them, differ from the president, they may also make a similar report with recommendations.

Sec. 20 The board of regents shall, on or before the first day of November in each year, make a report and an exhibit of the affairs of the university to the superintendent of public instruction, setting forth the condition of the university and its several departments; the amount of receipts and expenditures; the amount of outstanding debts, if any; the number of professors, assistant professors, tutors, other officers and employees, and the compensation of each; the number of students in the several departments and classes, and an estimate of the receipts and expenditures for the ensuing year; together with such other information and suggestions as they may deem important; and shall transmit the same, with the report of the president, to the superintendent of public instruction, to be embodied in his report.

Sec. 21 A board of visitors, to consist of three persons shall be appointed biennially at the commencement of the collegiate year, by the superintendent of public instruction. It

shall be their duty to make a personal examination into the state and condition of the university in all its departments and branches, once at least in a year, and report the same to the superintendent, suggesting such improvements as they may deem important; which report shall be embodied in the report of the superintendent.

Sec. 22. The regents and visitors of the university shall each receive pay for the actual and necessary expenses incurred by them in the performance of their duties, which shall be paid out of the university interest fund

Sec. 23. Act No. 151 to provide for the government of the State university, approved April 8th, 1851, and all other acts relating to the university, are hereby repealed.

House bill No. 70, entitled

A bill to provide for the floating of logs and timber in the streams of this State,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|              |                  |               |
|--------------|------------------|---------------|
| Mr. Adams,   | Mr. N. K. Green. | Mr. Pratt,    |
| Alexander,   | Hadley,          | Rankin,       |
| Beamer,      | Henderson,       | Read,         |
| Bunce,       | Hill,            | Sessions,     |
| Chase,       | Howell,          | Shank,        |
| Childs,      | Hurd,            | Shanahan,     |
| Choate,      | Joy,             | Smith,        |
| Chapoton,    | Kanouse,         | Taylor,       |
| Cox,         | Kelsey,          | Tibbits,      |
| C. Davis,    | Leetch,          | Wade,         |
| Ira Davis,   | Lockwood,        | Wallin,       |
| Douglas,     | Miller,          | Warner,       |
| Fallass,     | Morrison,        | Waterbury,    |
| Follett,     | Moore,           | Wetherby,     |
| Foote,       | Persons,         | J. B. Wilson, |
| Fowle,       | Peters,          | Woodward,     |
| Goodrich,    | Phelps,          | Wright,       |
| A. L. Green, | Piper,           | Speaker, 54   |

NAYS.

|               |              |               |
|---------------|--------------|---------------|
| Mr. Brownell, | Mr. Gregory, | Mr. Stoddard, |
| Cooley,       | Hodges,      | Strong,       |

Crego,  
Cutcheon,  
Gilbert,

Jones,  
W. N. Stevens,  
Stewart,

Toll,  
Winans,

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Title agreed to.

On motion of Mr. Howell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### MESSAGES FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER, }  
Lansing, March 8, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to transmit the following entitled bill :

A bill to amend section 1 of an act relative to the admission of attorneys, solicitors and counsellors, approved March 31, 1849,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Also the following :

SENATE CHAMBER, }  
Lansing, March 8, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to transmit the following entitled bill :

A bill to amend an act to incorporate the city of Owosso, approved February 15, 1859,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators

elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Also the following :

SENATE CHAMBER,  
*Lansing, March 8, 1861.* }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bill :

A bill to apportion anew the representatives among the several counties and districts of this State,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

#### GENERAL ORDER.

On motion of Mr. C. Davis,

The House went into committee of the whole on the general order,

Mr. Cutcheon in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled bills :

1. House bill No. 159, entitled

A bill amending sections 3, 13 and 25, of chapter 150, of compiled laws, relating to conferring upon justices of the peace jurisdiction in case of forcible entry and detainer, and forcible detainer only;

## 2. Senate bill No. 45, entitled

A bill to establish the Detroit house of correction, and authorize the confinement of convicted persons therein;

Have made some amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

S. M. CUTCHEON, *Chairman.*

Report accepted and committee discharged.

The amendments to the first named bill were concurred in, and the bill ordered engrossed for a third reading.

The amendments to the second named bill were concurred in, and the bill ordered to a third reading.

On motion of Mr. Pringle,

The House adjourned until this evening at 7 o'clock.

## EVENING SESSION.

7 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called : quorum present.

## MESSAGES FROM THE GOVERNOR.

By unanimous consent, the Speaker announced the following:

EXECUTIVE OFFICE, }  
*Lansing, March 8, 1861.*

*To the House of Representatives:*

I have approved and deposited in the office of the Secretary of State the following :

An act to reduce the capital stock of the president, directors and company of the Peninsular bank, and to amend an act to incorporate the president, directors and company of the Peninsular bank, approved March 28, 1849;

Also,

An act to provide for the incorporation of associations for the publication of periodicals, newspapers, books, tracts, documents, and other publications;

Also,

An act to extend the time for the collection of taxes in the



Township of Lyons, in the county of Ionia, for the year 1860, and to authorize the collection of the same;

Also,

An act to amend an act entitled an act to incorporate the village of Hastings, approved February 13, 1855;

Also,

An act to authorize the trustees of the Second Society of the Methodist Episcopal Church of Detroit to mortgage real estate;

Also,

An act to legalize a mortgage executed by the trustees of the First Congregational Society of Newark, to Rufus Dunning;

Also,

An act to authorize any township in the county of Allegan to levy a special tax for the improvement of the Kalamazoo river and harbor;

Also,

An act to authorize the trustees of the Methodist Episcopal Church of Muskegon in the county of Muskegon, to mortgage their church edifice and lands;

Also,

An act to amend chapter 79 of the revised statutes of 1846, compiled laws, chapter 103, by adding three new sections, numbered sections 54, 55 and 56, in relation to redemptions against sales on executions;

Also,

An act changing the name of the township of Newark, in Allegan county, to that of Saugatuck;

Also,

An act in relation to the collection of recognizances in criminal cases;

Also,

An act to amend an act entitled an act in relation to the free schools in the city of Detroit, approved February 7, 1857;

Also,

An act to amend an act entitled an act to provide for the

drainage and reclamation of swamp lands by means of State roads and ditches, being act 117 of session laws of 1859;

Also,

An act to amend an act entitled an act to provide for the settlement and drainage of swamp lands by actual settlers, being act No. 229 of the session laws of 1859;

Also,

An act to organize the township of Cedar Creek, in the county of Muskegon.

AUSTIN BLAIR.

Laid on the table.

SPECIAL ORDER.

On motion of Mr. Sessions,

The House went into committee of the whole on the special order,

Mr. Waterbury in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled bill :

House bill No. 101, entitled

A bill to repeal sections 2, 3 and 4, of an act entitled an act to protect the rights and liberties of the inhabitants of this State, approved February 13, 1855;

Have made no amendments thereto, and have directed their chairman to report the same back to the House.

J. C. WATERBURY, *Chairman.*

Report accepted and committee discharged.

Mr. Pratt moved to strike out the word "two," where it occurs in the bill.

Mr. Sessions moved to indefinitely postpone the further consideration of the bill, and demanded the previous question.

The demand was seconded, and the main question ordered.

The motion to indefinitely postpone prevailed, by yeas and nays, as follows :

## YEAS.

|              |           |           |
|--------------|-----------|-----------|
| Mr. Adams,   | Mr. Hood, | Mr. Read, |
| Baker,       | Howell,   | Sessions, |
| Beamer,      | Jones,    | Shanahan, |
| Chase,       | Kanouse,  | Smith,    |
| Ohilds,      | Kelsey,   | Stewart,  |
| Cox,         | Miller,   | Stoddard, |
| Crego,       | Moore,    | Taylor,   |
| Cutcheon,    | Persons,  | Tibbitts, |
| C. Davis,    | Peterson, | Wade,     |
| Fallass,     | Phelps,   | Wallin,   |
| Follett,     | Piper,    | Wetherby, |
| N. K. Green, | Pringle,  | Wheeler,  |
| Henderson,   | Ramsdell, | Wright,   |
| Hemingway,   | Rankin,   | Speaker,  |
| Hodges,      |           |           |

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## NAYS.

|                |              |             |
|----------------|--------------|-------------|
| Mr. Alexander, | Mr. Gilbert, | Mr. Pratt,  |
| Atwood,        | Goodrich,    | A. Stevens, |
| Brownell,      | A. L. Green, | Strong,     |
| Choate,        | Hadley,      | Toll,       |
| Cooley,        | Joy,         | Warner,     |
| Ira Davis,     | Lockwood,    | Waterbury,  |
| Douglas,       | Morrison,    | Winans,     |
| Foote,         | Peters,      | Woodward,   |

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On motion of Mr. Howell,

The House adjourned until to-morrow morning at 9 o'clock.

*Lansing, Saturday, March 9, 1861.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Whipple.

Roll called : quorum present.

Absent at roll call without leave, Messrs. A. W. Davis and W. N. Stevens.

Mr. Rankin asked and obtained leave of absence for Mr. A. W. Davis for an indefinite time on account of sickness.

Mr. Cutcheon asked and obtained leave of absence for W. N. Stevens for an indefinite time, on account of sickness.

## PETITIONS PRESENTED.

By Mr. Hodges : petition of Fredrick Hart and 30 others, citizens of Lenawee county, praying for the repeal of the salt bounty;

Also, the petition of Wm. H. Walby and 58 others, for the same;

Referred to the select committee on salt.

By Mr. Read : petition of Thos. Jones, P. H. Whitford, G. B. Peters, and 81 others, that the prohibitory liquor law may be so amended as to restore it to its original force and power;

Also, the petition of Jonas Allen, W. W. Beal, Frank Corbyn, and 125 others, residents of Kalamazoo county, for the same;

Laid on the table.

## REPORTS OF STANDING COMMITTEES.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred Senate bill No. 133, being

A bill to amend an act entitled an act disposing of certain grants of land made to the State of Michigan for railroad purposes, by act of Congress, approved June 3, 1856, approved February 14, 1857,

Have had the same under consideration, and report the same back with an amendment made thereto, and recommend that, when so amended, it do pass, and ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

ALONZO SESSIONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Sessions,

The bill was placed on the order of third reading.

By the committee on State prison :

The committee on State prison, to whom was referred Senate bill No. 76, being

A bill to amend an act entitled an act relative to convicts sentenced to solitary confinement in the State prison for life, approved April 2, 1849, being section 6230 of compiled laws,

Respectfully report that they have had the same under consideration, and report it back to the House without amendment, and recommend that the same do pass, and ask to be discharged from the further consideration thereof

H. B. SHANK, *Chairman.*

Report accepted, and committee discharged.

On motion of Mr. Shank,

The bill was placed on the order of third reading.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend section 26, of chapter 101, of the revised statutes of 1846, being section 3064, of the compiled laws, relative to the estates of deceased persons,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend section 1 of an act relative to the admission of attorneys, solicitors and counsellors, approved March 31, 1849,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

By the judiciary committee :

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill relative to laying out, altering and discontinuing highways,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Sessions,

The bill was placed on the order of third reading.

By the judiciary committee:

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill more effectually to secure the lien of mechanics and other labors,

Respectfully report that they have had the said bill under consideration, return the same to the House without recommendation, and ask to be discharged.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was laid on the table.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill to amend section 1661, of chapter 52, of compiled laws, in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage,

Have had the same under consideration, and have instructed me to report the same back to the House without any recommendation, and ask to be discharged from its further consideration.

A. H. MORRISON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Tibbits,

The bill was placed on the order of third reading.

By the committee on State affairs :

The committee on State affairs, to whom was referred Senate bill No 130, being

A bill to divide the State into six congressional districts,

Have had the same under consideration, and the majority of said committee have instructed me to report the same back to the House with a recommendation that it do pass, and ask to be discharged from its further consideration.

A. H. MORRISON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Morrison,

The bill was laid on the table, and leave granted the minority of the committee to report thereon.

By the committee on public lands:

The committee on public lands, to whom was referred Senate bill entitled

-A bill granting forty acres of swamp lands in the county of Clinton, for the relief of James Maycroft,

Report, that they have had the bill under consideration, and that the facts relative to the said desired relief, are as follows : Said Maycroft cut a ditch upon State swamp lands in the township of De Witt, in the county of Clinton, three hundred and thirty-seven rods long, with the intention of purchasing the said land, when the same should be offered for sale; it was taken and entered upon by another person, and held by said person ; that at the last session of the Legislature a bill passed this House, granting forty acres of swamp land in said township of De Witt, to said James Maycroft, that said bill was not reached in the Senate ; that all the swamp lands in said township have been granted to the Agricultural College, therefore said Maycroft asks forty acres of other swamp lands in the county of Clinton. Your committee return said bill, and recommend that it do pass, and ask to be discharged.

J. C. WATERBURY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Waterbury,

The bill was placed on the order of third reading.

By the committee on towns and counties :

The committee on towns and counties, to whom was referred

A bill to attach certain territory in the county of St. Clair,  
to the township of Port Huron,

Report the bill back to the House with the recommendation  
that it do not pass, and ask to be discharged from the further  
consideration thereof.

J. B. WILSON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bill was laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to repeal act No. 27 of the session laws of 1859,

Respectfully report that they have had the same under con-  
sideration, and have so amended the same as to confine its pro-  
visions to a single township, and have amended the title to  
correspond therewith, and when so amended, recommend that  
it do pass, and ask to be discharged from the further considera-  
tion of the same.

N. K. GREEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stoddard,

The bill was placed on the order of third reading.

By the committee on engrossment and enrollment :

The committee on engrossment and enrollment report as cor-  
rectly enrolled, signed and presented to the Governor, the fol-  
lowing entitled bill :

A bill to reduce the capital stock of the president, directors  
and company of the Peninsular bank.

A. L. GREEN, *Chairman.*

Report accepted and committee discharged.

By the committee on education:



The committee on education, to whom was referred House bill, entitled

A bill to amend section 107, of an act entitled an act to amend certain sections of the primary school law, approved February 15, 1859, relating to township and school district libraries,

Have considered the same, and direct me to report the bill back to the House without recommendation, and ask to be discharged from further consideration thereof.

B. L. HILL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Woodman,

The bill was laid on the table.

By the committee on conference:

The committee of conference appointed by the House upon the matter of disagreement between the two Houses, as to amendment made by the House in Senate bill No. 79, inserting the name of Silas A. Yerkes, of Kent county, in place of Geo. W. Germain, of Ionia county, report that they have met a like committee from the Senate, and that the joint committee have agreed to recommend that the Senate recede from its refusal to concur in said amendment.

S. S. FALLASS,

*Chairman of Committee on part of the House.*

Report accepted.

By the minority of the committee on State affairs:

A minority of the committee on State affairs to whom was referred

A bill to divide the State into six congressional districts,

Have had the same under consideration, and ask leave to report as a substitute therefor, Senate bill No. 7, and recommend that the said bill do pass, and ask to be discharged from the further consideration of the subject.

WM. WHEELER,

WM. BROWNELL.

Report accepted and committee discharged.

Mr. Sessions moved that the substitute offered by the minority of the committee be adopted.

Mr. Crego demanded the yeas and nays.

The demand was seconded, and the motion did not prevail; by yeas and nays as follows:

## YEAS.

|               |              |               |    |
|---------------|--------------|---------------|----|
| Mr. Brownell, | Mr. Fowle,   | Mr. Ramsdell, |    |
| Chase,        | Goodrich,    | Wallin,       |    |
| Choate,       | Gregory,     | Wheeler,      |    |
| Cooley,       | A. L. Green, | T. M. Wilson, |    |
| Cox,          | Hadley,      | Speaker,      |    |
| Douglas,      | Miller,      |               | 17 |

## NAYS.

|             |           |               |    |
|-------------|-----------|---------------|----|
| Mr. Adams,  | Mr. Hood, | Mr. Sessions, |    |
| Alexander,  | Howell,   | Shank,        |    |
| Atwood,     | Hurd,     | Shanahan,     |    |
| Baker,      | Jones,    | Smith,        |    |
| Beamer,     | Joy,      | A. Stevens,   |    |
| Bunce,      | Kanouse,  | Stewart,      |    |
| Childs,     | Kelsey,   | Stoddard,     |    |
| Chapoton,   | Leetch,   | Strong,       |    |
| Crego,      | Lockwood, | Taylor,       |    |
| Cutcheon,   | Morrison, | Tibbits,      |    |
| C. Davis,   | Moore,    | Toll,         |    |
| Ira Davis,  | Persons,  | Wade,         |    |
| Fallas,     | Peters,   | Warner,       |    |
| Follett,    | Peterson, | Waterbury,    |    |
| Foote,      | Phelps,   | Wetherby,     |    |
| Gilbert,    | Piper,    | J. B. Wilson, |    |
| N K. Green, | Pratt,    | Winans,       |    |
| Henderson,  | Pringle,  | Woodman,      |    |
| Hemingway,  | Rankin,   | Woodward,     |    |
| Hill,       | Read,     | Wright,       |    |
| Hodges,     |           |               | 61 |

Mr. Lockwood moved to take from the table Senate bill, entitled

A bill to divide the State into six Congressional districts;  
Which motion prevailed.

Mr. Morrison moved to amend the bill by striking out in line 21 the word "Missaukee," and in line 23 the word "Kalkaska;"  
Which motion prevailed.

Mr. Childs then moved that the rules be suspended, and that the bill be put on its final passage;

Pending which,

Mr. Wallin moved to strike out the word "Allegan," in line 9, and insert in lieu thereof the word "Barry;" also by striking out the word "Barry," in line 13, and insert "Allegan;"

Mr. Gilbert demanded the previous question.

The demand was seconded, and the main question ordered.

The motion to strike out and insert did not prevail.

The question recurring upon the motion to suspend the rules, they were suspended, and the bill put upon its final passage.

The bill, being Senate bill, entitled

A bill to divide the State into six congressional districts,

Was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

|              |             |               |
|--------------|-------------|---------------|
| Mr. Adams,   | Mr. Hodges, | Mr. Rankin,   |
| Alexander,   | Hood,       | Read,         |
| Baker,       | Howell,     | Sessions,     |
| Beamer,      | Hurd,       | Shank         |
| Bunce,       | Jones,      | Shanahan,     |
| Chase,       | Joy,        | Smith,        |
| Childs,      | Kanouse,    | A. Stevens,   |
| Chapoton,    | Kelsey,     | Stoddard,     |
| Crego,       | Leetch,     | Taylor,       |
| C. Davis,    | Lockwood,   | Tibbits,      |
| Ira Davis,   | Morrison,   | Wade,         |
| Fallass,     | Moore,      | Waterbury,    |
| Follett,     | Persons,    | Wetherby,     |
| Foote,       | Peters,     | J. B. Wilson, |
| Gilbert,     | Peterson,   | Woodman,      |
| N. K. Green, | Phelps,     | Woodward,     |
| Henderson,   | Piper,      | Wright,       |
| Hemingway,   | Pratt,      | Speaker,      |
| Hill,        | Pringle,    |               |

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#### NAYS.

|             |               |             |
|-------------|---------------|-------------|
| Mr. Atwood, | Mr. Goodrich, | Mr. Strong, |
| Brownell,   | Gregory,      | Toll,       |
| Choate,     | A. L. Green,  | Wallin,     |
| Cooley,     | Hadley,       | Warner,     |
| Cox,        | Miller,       | Wheeler,    |

Cutcheon,  
Douglas,  
Fowle,

Ramsdell,  
Stewart,

T. M. Wilson,  
Winans,

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Title agreed to.

## REPORTS OF SELECT COMMITTEES.

The select committee of eleven, to whom was referred House bill No. 173, entitled

A bill to amend an act entitled an act to provide for the draining and reclamation of swamp lands by means of State roads and ditches,

Have unanimously instructed me to report that it is necessary for this Legislature to take some action relative to the swamp lands granted to this State by the General Government, and that action should be such as would be the most feasible to consummate the objects for which the original grant was made. Considering the newness of the country, and the sparseness of the settlements of those counties in which the large bulk of these lands are situated, your committee would state that in their judgment, the system of State roads and ditches, as inaugurated by act 117 of the session laws of 1859, is the only practicable policy that can be pursued. There are many cases where if roads should run lengthwise of a low, wet belt of land, that the *immediate* and direct effect of such road would be to drain, to some extent at least, the lands through which it passes. But your committee are of opinion that no lands will be reclaimed, in the proper acceptation of the word, until they are settled upon and occupied for agricultural purposes, and with this view, there can be but little doubt that extending roads into a country where there are no highways is the surest way of obtaining *resident* owners of the lands through which such roads may pass, and that the *immediate* effect of any propriation of swamp lands for the construction of said roads must necessarily be to reclaim those lands which lie adjacent, or within reasonable distance of the line of the road so constructed.

Your committee have amended the bill to them referred, by

striking out a number of the roads, and have so diminished the whole length of roads provided for in the bill, that the whole distance will be about 813 miles. They have also amended by adding a new section to the bill; all of which several amendments are herewith submitted, and when so amended, the committee unanimously recommend that the bill do pass, and ask to be discharged from the further consideration of this subject.

T. J. RAMSDELL, *Chairman.*

Report accepted and committee discharged.

Mr. Leetch moved that the House concur in the amendments made by the committee;

Pending which,

Mr. Woodman moved to lay the bill on the table;

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion to lay the bill on the table did not prevail, by yeas and nays, as follows:

#### YEAS.

Mr. Atwood,  
Brownell,  
Choate,  
Gilbert,

Mr. Gregory,  
A. L. Green,  
Henderson,  
Miller,

Mr. Stewart,  
Wheeler,  
Woodman, . 11

#### NAYS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Bunce,  
Chase,  
Childs,  
Chapoton,  
Cooley,  
Cox,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foots,  
Fowle,

Mr. Hemingway,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,

Mr. Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
A. Stevens,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
T. M. Wilson,  
J. B. Wilson,  
Woodward,

Goodrich,  
N. K. Green,  
Hadley,

Ramsdell,  
Rankin,

Wright,  
Speaker,

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The question recurring upon the motion to concur in the amendments made to the bill by the committee, the amendments were concurred in.

Mr. Pratt moved that the bill be placed upon the order of third reading;

Pending which,

Mr. Lockwood moved to strike out all after the enacting clause of the bill, and insert the following in place thereof:

Section 1. That all the State swamp lands not otherwise appropriated, be and the same are hereby donated and appropriated to the several counties in which they lie, subject to the terms in which the said lands were granted by Congress, and not to be conveyed in fee until said conditions are complied with, and to be conveyed when the State officers composing the board of control of swamp lands shall be satisfied said conditions are complied with.

Sec. 2. The board of supervisors of the several counties are authorized to receive said lands and provide for draining the same, and to use the proceeds thereof for that purpose, subject to the approval of the board of control.

The question being upon the adoption of the substitute,

Mr. Morrison demanded the yeas and nays.

The demand was seconded.

Mr. Kelsey demanded the previous question.

The demand was seconded, and the main question ordered.

The amendment was not adopted, by yeas and nays, as follows:

#### YEAS.

Mr. Alexander,  
Baker,  
Beamer,  
Brownell,  
Choate,  
Chapoton,  
Cooley,  
Cox,

Mr N. K. Green,  
Hadley,  
Henderson,  
Hodges,  
Hurd,  
Joy,  
Leetch,  
Lockwood,

Mr. Peters,  
Piper,  
Sessions,  
Shanahan,  
Strong,  
Tibbits,  
Toll,  
Wallin,

Fowle,  
Gilbert,  
Goodrich,  
A. L. Green,

Miller,  
Morrison,  
Moore,

Wheeler,  
Winans,  
Woodward,

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## NAYS.

Mr. Adams,  
Bunce,  
Chase,  
Childs,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Follett,  
Foote,  
Gregory,  
Hill,

Mr. Howell,  
Kelsey,  
Persons,  
Peterson,  
Phelps,  
Pratt,  
Pringle,  
Ramsdell,  
Rankin,  
Read,  
Shank,  
Smith,

Mr. A. Stevens,  
Stewart,  
Stoddard,  
Taylor,  
Wade,  
Warner,  
Waterbury,  
Wetherby,  
T. M. Wilson,  
J. B. Wilson,  
Wright,  
Speaker,

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The question recurring upon the motion to order the bill to a third reading, the motion prevailed.

## MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,  
*Lansing, March 8, 1861.* }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bills :

1. A bill to provide for the manner of equalizing the assessment rolls by the board of supervisors of the county of Wayne;

2. A bill to amend an act to authorize the conveyance of a certain lot in the village of Lansing, to the trustees of the Society of the Church of the United Brethren in Christ, in the said village, approved February 4, 1859;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, March 8, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bill:

A bill to provide for the apportionment of Senators in the State Legislature;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,  
A. B. TURNER,  
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Also the following :

SENATE CHAMBER,  
Lansing, March 8, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bill :

A bill to organize the county of Delta, and define the boundaries of the same,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,  
A. B. TURNER,  
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

NOTIONS, RESOLUTIONS AND NOTICES.

Mr. Lockwood offered the following:

*Resolved*, That the use of this hall be granted to S. B. Mar-



vin, agent of the Michigan State Temperance Alliance, on Sunday afternoon next, for an address on temperance, provided the Methodist Society, to whom the hall has been granted for that time, consent thereto;

Which was adopted.

Mr. Childs moved that the committee of the whole be discharged from the further consideration of House bill No. 134, being

A bill vesting with police powers marshals and their deputies, at State and county fairs;

Which motion prevailed.

On motion of Mr. Childs,

The bill was placed on the order of third reading.

Mr. T. M. Wilson moved that the committee of the whole be discharged from the further consideration of House bill No. 156, entitled

A bill to provide for the purchase of a collection of the township laws of the several townships of this State;

Which was adopted.

On motion of Mr. T. M. Wilson,

The bill was placed on the order of third reading.

Mr. Hemingway offered the following:

*Resolved*, That the committee on public lands be instructed to report on a bill referred to them, entitled

A bill to amend act No. 255 of the laws of 1859, being an act to provide for laying out and establishing a State road from Midland City to St. Charles, approved February 15, 1859;

Which was adopted.

Mr. Pratt moved to discharge the committee of the whole from the further consideration of the "general order," with the exception of House bill No. 119, entitled

A bill to authorize proceedings by garnishment in the circuit courts and the district court of the Upper Peninsula ;

Which motion prevailed.

On motion of Mr. Howell,

The several bills were placed on the order of third reading.

Mr. Atwood moved to take from the table House bill, entitled  
A bill to change the boundaries of the counties of Jackson,  
Ingham, Eaton, Clinton, Gratiot and others ;

Which motion did not prevail.

Mr. Tibbits moved that the House adjourn;

Which motion did not prevail.

### THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill, entitled

A bill to repeal chapter 122, of the revised statutes of 1846,  
and the amendments thereto, and provide for the collection of  
demands against water-craft,

Being under consideration,

On motion of Mr. Joy,

The reading of the bill *in extenso* was dispensed with.

The bill was then read a third time, by its title, and passed,  
a majority of all the members elect voting therefor, by yeas and  
nays, as follows :

### YEAS.

|              |                  |            |    |
|--------------|------------------|------------|----|
| Mr. Atwood,  | Mr. N. K. Green, | Mr. Pratt, |    |
| Baker,       | Hadley,          | Pringle,   |    |
| Beamer,      | Henderson,       | Ramsdell,  |    |
| Bunce,       | Hemingway,       | Rankin,    |    |
| Chase,       | Hill,            | Read,      |    |
| Childs,      | Hodges,          | Shank,     |    |
| Choate,      | Hurd,            | Smith,     |    |
| Chapoton,    | Joy,             | Stoddard,  |    |
| Cooley,      | Kanouse,         | Tibbits,   |    |
| Crego,       | Kelsey,          | Wallin,    |    |
| Cutcheon     | Lockwood,        | Waterbury, |    |
| Ira Davis,   | Moore,           | Wetherby,  |    |
| Gilbert,     | Peterson,        | Winans,    |    |
| Goodrich,    | Phelps,          | Wright,    |    |
| A. L. Green, | Piper,           | Speaker,   | 45 |

### NAYS.

|               |             |               |
|---------------|-------------|---------------|
| Mr. Alexander | Mr. Howell, | Mr. Strong,   |
| Brownell,     | Jones,      | Taylor,       |
| C. Davis,     | Lectch,     | Toll,         |
| Douglas,      | Miller.     | Wade,         |
| Fallass,      | Morrison,   | Warner,       |
| Follett,      | Persons,    | T. M. Wilson, |

Foote,  
Gregory,  
Hood,

Peters,  
Shanahan,  
Stewart,

J. B. Wilson,  
Woodman,  
Woodward, 27

The question being upon agreeing to the title,

Mr. Persons offered the following as a substitute therefor:

A bill to rob vessel owners and fee lawyers;

Which was not adopted.

The title was then agreed to.

On motion of Mr. Howell,

The House adjourned until this afternoon at 2 o'clock.

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AFTERNOON SESSION.

2 o'clock P. M.

House met pursuant to adjournment, and was called to order by the Speaker.

Roll called : quorum present.

Mr. Read asked and obtained leave of absence for Mr. Adams for an indefinite time, on account of sickness.

By unanimous consent, the committee on towns and counties submitted the following report :

The committee on towns and counties, to whom was referred Senate bill, entitled

A bill to regulate the manner of attaching unorganized territory to organized counties, for judicial and municipal purposes,

Direct me to report in favor of the bill, and recommend its passage, and ask to be discharged from the further consideration thereof.

J. B. WILSON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bill was placed on the order of third reading.

The committee on towns and counties also made the following report :

The committee on towns and counties, to whom was referred House bill, entitled

A bill to attach certain unorganized townships to the county of Marquette,

Direct me to report in favor of the bill, recommend its passage, and ask to be discharged from the further consideration thereof.

J. B. WILSON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bill was placed on the order of third reading.

The House resumed business under the order of

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Senate bill, entitled

A bill to exempt sewing machines from levy and sale on execution,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|                |                |               |
|----------------|----------------|---------------|
| Mr. Alexander, | Mr. Hemingway, | Mr. Read,     |
| Atwood,        | Hood,          | Sessions,     |
| Baker,         | Howell,        | Shank,        |
| Beamer,        | Hurd,          | Shannahan,    |
| Bunce,         | Joy,           | Smith,        |
| Chase,         | Kanouse,       | Stoddard,     |
| Childs,        | Kelsey,        | Taylor,       |
| Choate,        | Lockwood,      | Tibbits,      |
| Chapoton,      | Miller,        | Toll,         |
| Cooley,        | Morrison,      | Wade,         |
| Crego,         | Persons,       | Warner,       |
| Cutcheon,      | Peters,        | Waterbury,    |
| C. Davis,      | Peterson,      | Wetherby,     |
| Douglas,       | Phelps,        | T. M. Wilson, |
| Fallass,       | Pratt,         | J. B. Wilson, |
| Foots,         | Pringle,       | Woodman,      |
| Fowle,         | Ramsdell,      | Wright,       |
| Gilbert,       | Rankin,        | Speaker,      |
| Goodrich,      |                |               |

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NAYS.

|          |            |             |
|----------|------------|-------------|
| Mr. Cox, | Mr. Jones, | Mr. Wallin, |
| Follett, | Leetch,    | Winans,     |
| Hadley,  | Strong,    | Woodward,   |

Title agreed to.

On motion of Mr. Howell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill, entitled

A bill to amend section 59, chapter 6, of the compiled laws, concerning the canvassing of votes at elections,

Being under consideration,

Mr. Pringle moved to recommit the bill to the committee on judiciary, with instructions to so amend the same as to make it applicable to all the townships and wards in cities in this State;

Which motion prevailed.

House bill No. 171, being

A bill to attach the county of Manitou to the county of Wayne for certain judicial purposes,

Being under consideration,

Mr. Lockwood asked and obtained the unanimous consent of the House to strike out the word "Wayne," and insert "Mackinaw," wherever it occurs in the bill.

On motion of Mr. Childs,

The bill was then referred to Mr. Lockwood as a special committee.

House bill No. 136, being

A bill to amend sec. 75, chapter 16, of revised statutes, 1846, being sec. 567 of the compiled laws, relative to the duties of township clerk,

Being under consideration,

Mr. T. M. Wilson moved to recommit the bill to the committee on judiciary with instructions to strike out the words "ten" and "eleven," and insert in place thereof the words "twelve" and "two," in the recited section of the bill;

Mr. Gregory moved to amend the instructions by instructing the committee to strike out all after the enacting clause;

Which motion prevailed.

House bill No. 174, entitled

A bill to provide for the construction of State roads in the Upper Peninsula, under the provisions of an act entitled an act

to provide for the draining and reclamation of swamp lands by means of State roads and ditches, approved Feb. 12th, 1859, and an act amendatory thereto, approved March, 1861,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Atwood,  
Beamer,  
Bunce,  
Chase,  
C. Davis,  
Ira Davis,  
Douglas,  
Follett,  
Fowle,  
Hadley,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Howell,  
Kanouse,

Mr. Kelsey,  
Leetch,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Pratt,  
Pringle,  
Ramsdell,  
Rankin,  
Read,  
Shank,  
Shanahan,

Mr. Smith,  
A. Stevens,  
Stoddard,  
Taylor,  
Tibbits,  
Toll,  
Warner,  
Waterbury,  
Wetherby,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Wright,  
Speaker,

46

## Mr.

## NAYS.

Alexander,  
Baker,  
Childs,  
Chapoton,  
Cooley,  
Crego,  
Cutcheon,  
Fallass,  
Foote,

Mr. Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,  
Hood,  
Hurd,  
Jones,  
Joy,

Mr. Miller,  
Piper,  
Sessions,  
Stewart,  
Strong,  
Wheeler,  
Woodward,  
Wallin,

25

Title agreed to.

Senate bill No. 62, entitled

A bill to quiet title in the county of Kent, and other counties,  
Being under consideration,

On motion of Mr. Hemingway,

The reading of the bill *in extenso* was dispensed with.

The bill was then read a third time, by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|                |                |               |
|----------------|----------------|---------------|
| Mr. Alexander, | Mr. Henderson, | Mr. Rankin,   |
| Atwood,        | Hemingway,     | Read,         |
| Baker,         | Hill,          | Sessions,     |
| Beamer,        | Hodges,        | Shank,        |
| Brownell,      | Hood,          | Shanahan,     |
| Bunce,         | Howell,        | Smith,        |
| Chase,         | Hurd,          | A. Stevens,   |
| Childs,        | Jones,         | Stewart,      |
| Choate,        | Joy,           | Strong,       |
| Chapoton,      | Kanouse,       | Taylor,       |
| Cooley,        | Kelsey,        | Tibbits,      |
| Cox,           | Leetch,        | Toll,         |
| Crego,         | Lockwood,      | Wade,         |
| Cutcheon,      | Miller,        | Wallin,       |
| Ira Davis,     | Morrison,      | Waterbury,    |
| Fallass,       | Moore,         | Wetherby,     |
| Follett,       | Persons,       | Wheeler,      |
| Foote,         | Peters,        | T. M. Wilson, |
| Fowle,         | Peterson,      | J. B. Wilson, |
| Gilbert,       | Phelps,        | Winans,       |
| Goodrich,      | Piper,         | Woodman,      |
| Gregory,       | Pratt,         | Woodward,     |
| A. L. Green,   | Pringle,       | Wright,       |
| N. K. Green,   | Ramsdell,      | Speaker,      |
| Hadley,        |                |               |

73

0

## NAYS.

The question being upon agreeing to the title,

Mr. Howell moved to strike out the words in the title "and other counties;"

Which motion prevailed.

The title, as amended, was then agreed to.

On motion of Mr. Fallass,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill, entitled

A bill to incorporate the public schools of the city of Adrian,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |                |               |
|----------------|----------------|---------------|
| Mr. Alexander, | Mr. Henderson, | Mr. Read,     |
| Baker,         | Hemingway,     | Sessions,     |
| Beamer,        | Hill,          | Shank,        |
| Brownell,      | Hodges,        | Shanahan,     |
| Bunce,         | Hood,          | Smith,        |
| Chase,         | Howell,        | A. Stevens,   |
| Childs,        | Hurd,          | Stewart,      |
| Choate,        | Jones,         | Strong,       |
| Cooley,        | Joy,           | Tibbits,      |
| Crego,         | Kanouse,       | Toll,         |
| Cutcheon,      | Kelsey,        | Wade,         |
| C. Davis,      | Leetch,        | Wallin,       |
| Ira Davis,     | Lockwood,      | Waterbury,    |
| Follett,       | Miller,        | Wetherby,     |
| Footte,        | Moore,         | Wheeler,      |
| Fowle,         | Peters,        | T. M. Wilson, |
| Gilbert,       | Peterson,      | Winans,       |
| Goodrich,      | Phelps,        | Woodman,      |
| Gregory,       | Piper,         | Woodward,     |
| A. L. Green,   | Pratt,         | Wright,       |
| N. K. Green,   | Pringle,       | Speaker,      |
| Hadley,        | Ramsdell,      |               |

65

## NAYS.

Mr. Chapoton,

1

Title agreed to.

On motion of Mr. Moore,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 159, entitled

A bill amending sections 3, 13 and 25 of chapter 150, compiled laws, relating to conferring upon justices of the peace jurisdiction in case of forcible entry and detainer, and forcible detainer only,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |                  |            |
|----------------|------------------|------------|
| Mr. Alexander, | Mr. A. L. Green, | Mr. Piper, |
| Baker,         | N. K. Green,     | Ramsdell,  |
| Beamer,        | Hadley,          | Rankin,    |
| Brownell,      | Henderson,       | Read,      |
| Chase,         | Hemingway,       | Shank,     |



Childs,  
Choate,  
Cox,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,

Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Kanouse,  
Kelsey,  
Leetch,  
Miller,  
Moore,  
Peters,  
Peterson,  
Phelps,

Shanahan,  
Smith,  
A. Stevens,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Wetherby,  
T. M. Wilson,  
Woodward,  
Wright,

55

## NAYS.

Mr. Atwood,  
Bunce,  
Chapoton,  
Cooley,  
Jones,

Mr. Joy,  
Lockwood,  
Pringle,  
Sessions,  
Stewart,

Mr. Stoddard,  
Waterbury,  
Wheeler,  
Winans,  
Woodman, 15

Title agreed to.

Senate bill, entitled

A bill to establish the Detroit House of Correction, and authorize the confinement of convicted persons therein,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Baker,  
Beamer,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Follett,  
Goodrich,  
A. L. Green,  
N. K. Green,  
Hadley,  
Hemingway,  
Hodges,

Mr. Hood,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Moore,  
Persons,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Ramsdell,  
Sessions,

Mr. Shank,  
Smith,  
A. Stevens,  
Stewart,  
Stoddard,  
Taylor,  
Tibbits,  
Toll,  
Wallin,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

52

## NAYS.

Mr. Alexander,  
Cooley,  
Cox,  
Crego,  
Foote,

Mr. Gilbert,  
Gregory,  
Jones,  
Pringle,

Mr. Read,  
Shanahan,  
Strong,  
Wade,

13

Title agreed to.

By unanimous consent, the following report was submitted :

The subscriber, a special committee, to whom was referred House bill, entitled

A bill to attach the county of Manitou to the county of Wayne, for certain judicial purposes,

Respectfully reports that he has amended the same, pursuant to instructions. He recommends that the House concur in the amendments, and asks to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD.

Report accepted and committee discharged.

On motion of Mr. Warner,

The House concurred in the amendments made by the committee.

On motion of Mr. Pringle,

The bill was placed upon its immediate passage.

The bill, being House bill No. 171, entitled

A bill to attach the county of Manitou to the county of Wayne for certain judicial purposes,

Was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Alexander,  
Atwood,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,

Mr. Hadley,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Howell,  
Hurd,  
Jones,  
Joy,  
Kanouse,

Mr. Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,

Cooley,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. B. Green,  
N. K. Green,

Leetch,  
Lockwood,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramadell,  
Rankin,

Tibbits,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wheeler,  
T. M. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

67

## NAYS.

Mr. Toll,

1

The question being upon agreeing to the title,

Mr. Lockwood moved to strike out the word "Wayne," and insert "Mackinaw;"

Which motion prevailed.

The title, as amended, was then agreed to.

Mr. Howell moved that the rule requiring the third reading of bills to be on a different day from that on which they are reported from a committee be suspended, and the bills now on the order of third reading be put upon their passage;

Which motion prevailed.

Senate bill No. 133, entitled

A bill to amend an act entitled an act disposing of certain grants of land made to the State of Michigan for railroad purposes, approved June 3, 1856, approved February 14, 1857,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,  
Baker,  
Beamer,  
Brownell,  
Chase,  
Choate,  
Chapoton,  
Crego,  
Ira Davis,

Mr. Hodges,  
Hood,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Lockwood,  
Morrison,

Mr. Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,

Fallass,  
Follett,  
Foote,  
Goodrich,  
A. L. Green,  
N. K. Green,  
Hadley,  
Henderson,  
Hemingway,  
Hill,

Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Ramsdell,  
Rankin,

Taylor,  
Tibbits,  
Toll,  
Wallin,  
Warner,  
T. M. Wilson,  
Winans,  
Woodward,  
Wright,

55

## NAYS.

Mr. Childs,  
Cooley,  
Cox,  
Cutcheon,  
Gilbert,

Mr. Gregory,  
Howell,  
Miller,  
Wade,

Mr. Waterbury,  
Wheeler,  
Woodman,  
Speaker,

13

The question being upon agreeing to the title,

Mr. Sessions moved to amend the same by inserting after the word "purposes" the words "by act of Congress;"

Which motion prevailed.

The title, as amended, was then agreed to.

Senate bill No. 89, entitled

A bill to amend section 1 of an act relative to the admission of attorneys and counsellors, approved March 31, 1849,

Was read a third time and a majority of all the members elect not voting therefor, it was not passed, by yeas and nays, as follows :

## YEAS.

Mr. Brownell,  
Douglas,  
Hadley,  
Henderson,  
Leetch,

Mr. Lockwood,  
Pratt,  
Shank,  
Smith,  
Stoddard,

Mr. Strong,  
Toll,  
Winans,  
Woodward,  
Wright,

15

## NAYS.

Mr. Alexander,  
Baker,  
Beamer,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cox,

Mr. Goodrich,  
Gregory,  
A. L. Green,  
Hemingway,  
Hill,  
Hodges,  
Hood,  
Howell,

Mr. Peters,  
Peterson,  
Piper,  
Pringle,  
Ramsdell,  
Rankin,  
Read,  
Shanahan,

Grego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Fallass,  
Foote,  
Fowle,  
Gilbert,

Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Miller,  
Moore,  
Persons,

Taylor,  
Tibbits,  
Wade,  
Wallin,  
Waterbury,  
T. M. Wilson,  
Woodman,

47

Mr. Fowle moved that there be a call of the House;

Which motion prevailed.

Upon the call of the roll by the clerk, Messrs. Phelps and J.

B. Wilson were reported absent without leave.

On motion of Mr. Moore,

All further proceedings under the call were dispensed with.

Senate bill No. 112, entitled

A bill to amend section 26, chapter 101 of the revised statutes of 1846, being section 3064 of compiled laws, relative to the sale of real estate of deceased persons,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows :

#### YEAS.

Mr. Alexander,  
Beamer,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cooley,  
Cox,  
Orego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,

Mr. Hadley,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Lestch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,

Mr. Rankin,  
Read,  
Sessions,  
Shanahan,  
Smith,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
Winans,  
Woodman,  
Woodward,

Gregory,  
A. L. Green,  
N. K. Green,

Pratt,  
Pringle,  
Ramsdell,

Wright,  
Speaker,

71

NAYS.

0

Title agreed to.

Senate bill No. 80, entitled

A bill to amend section 1661 of chapter fifty-two of the compiled laws, in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage,

Being under consideration,

On motion of Mr. Lockwood,

The bill was laid on the table.

House bill, entitled

A bill to amend section 1 of an act entitled an act to aid in the improvement of a certain State road,

Being under consideration,

On motion of Mr. Ramsdell,

The bill was recommitted to the committee on roads and bridges.

Senate bill, entitled

A bill making appropriation of swamp lands for the relief of James Maycroft,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Alexander,  
Brownell,  
Bunce,  
Chase,  
Choate,  
Chapoton,  
Cox,  
Crego,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follet  
Foote,  
Fowle,

Mr. Hodges,  
Hood,  
Howell,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,

Mr. Shank,  
Shanahan,  
Smith,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Warner,  
Waterbury,  
Wetherby,  
T. M. Wilson,

Gregory,  
A. L. Green,  
Hadley,  
Henderson,  
Hemingway,  
Hill,

Phelps,  
Piper,  
Pratt,  
Ramsdell,  
Rankin,  
Read,

J. B. Wilson,  
Winans,  
Woodward,  
Wright,  
Speaker,

62

## NAYS.

Mr. Atwood,  
Childs,  
Cooley,

Mr. Cutcheon,  
Gilbert,  
Pringle,

Mr. Sessions,  
Wheeler,

8

Title agreed to.

Senate bill No. 76, entitled

A bill to amend an act entitled an act relative to convicts sentenced to solitary confinement in the State prison for life, approved April 2, 1849, being section 6230 of compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,  
Beamer,  
Brownell,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cooley,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Foote,  
Fowle,  
Gilbert,

Mr. Gregory,  
A. L. Green,  
Hadley,  
Hemingway,  
Hill,  
Hodges,  
Hood,  
Howell,  
Jones,  
Joy,  
Kanouse,  
Leetch,  
Morrison,  
Persons,  
Peters,

Mr. Piper,  
Ramsdell,  
Read,  
Shank,  
Shanahan,  
Smith,  
Taylor,  
Tibbits,  
Wade,  
Warner,  
Wetherby,  
Wheeler,  
J. B. Wilson,  
Woodward,  
Wright,

46

## NAYS.

Mr. Atwood,  
Bunce,  
Cox,  
Fallass,  
Follett,  
N. K. Green,  
Henderson,

Mr. Lockwood,  
Moore,  
Peterson,  
Phelps,  
Pratt,  
Pringle,  
Rankin,

Mr. Stewart,  
Stoddard,  
Strong,  
Toll,  
Wallin,  
Waterbury,  
Winans,

Hurd,  
Kelsey,

Sessions,

Speaker,

25

Mr. Foote moved to reconsider the vote whereby the bill was passed;

Which motion did not prevail.

Title agreed to.

On motion of Mr. Gregory,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 97, entitled

A bill relative to laying out, altering and discontinuing highways,

Being under consideration,

Mr. C. Davis moved to lay the bill on the table;

Which motion did not prevail.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

| Mr. Alexander, | Mr. Henderson, | Mr. Read,     |
|----------------|----------------|---------------|
| Atwood,        | Hemingway,     | Sessions,     |
| Baker,         | Hill,          | Shank,        |
| Beamer,        | Hodges,        | Shanahan,     |
| Brownell,      | Hood,          | Smith,        |
| Bunce,         | Howell,        | A. Stevens,   |
| Chase,         | Hurd,          | Stewart,      |
| Childs,        | Jones,         | Strong,       |
| Choate,        | Joy,           | Taylor,       |
| Chapoton,      | Kanouse,       | Tibbits,      |
| Cooley,        | Kelsey,        | Toll,         |
| Crego,         | Leetch,        | Wade,         |
| Cutcheon,      | Lockwood,      | Wallin,       |
| C. Davis,      | Miller,        | Warner,       |
| Ira Davis,     | Morrison,      | Waterbury,    |
| Douglas,       | Persons,       | Wetherby,     |
| Fallass,       | Peters,        | Wheeler,      |
| Follett,       | Peterson,      | T. M. Wilson, |
| Foote,         | Phelps,        | J. B. Wilson, |
| Fowle,         | Piper,         | Winans,       |
| Gilbert,       | Pratt,         | Woodman,      |
| Gregory,       | Pringle,       | Woodward,     |
| A. L. Green,   | Ramsdell,      | Wright,       |



N. K. Green,  
Hadley,

Rankin,

Speaker,

73

'NAYS.

0

Title agreed to.

On motion of Mr. Tibbits,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 173, entitled

A bill to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches,

Being under consideration,

Mr. Gilbert moved to recommit the bill to the select committee appointed thereon, with instructions to add thereto the following:

*"Provided, That the land selected to pay for all contracts under this act, shall be selected in the same, or adjoining counties in which such work is done; and if any road is authorized in any county where there is not sufficient land in that or an adjoining county to pay for the same, then such selections may be made from any other swamp land belonging to the State not otherwise appropriated."*

Mr. Pratt demanded the previous question.

The demand was seconded, and the main question ordered.

The question being upon the motion to recommit, the motion did not prevail.

The question recurring upon the passage of the bill, it was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Beamer,  
Bunce,  
Chase,  
Chapoton,  
Cox,  
Crego,  
C. Davis,  
Ira Davis,  
Douglas,  
Follett,

Mr. Howell,  
Kanouse,  
Kelsey,  
Leetch,  
Persons,  
Peterson,  
Phelps,  
Piper,  
Pringle,  
Ramsdell,

Mr. Smith,  
A. Stevens,  
Stoddard,  
Taylor,  
Toll,  
Wade,  
Warner,  
Waterbury,  
T. M. Wilson,  
J. B. Wilson,

Hadley,  
Hemingway,  
Hill,

Rankin,  
Read,  
Shank,

Wright,  
Speaker,

23

## NAYS.

Mr. Alexander,  
Atwood,  
Baker,  
Brownell,  
Childs,  
Choate,  
Cooley,  
Cutcheon,  
Fallass,  
Foots,  
Fowle,  
Gilbert,

Mr. Gregory,  
A. L. Green,  
N. K. Green,  
Henderson,  
Hodges,  
Hood,  
Hurd,  
Jones,  
Joy,  
Miller,  
Morrison,  
Peters,

Mr. Pratt,  
Sessions,  
Shanahan,  
Stewart,  
Strong,  
Tibbits,  
Wallin,  
Wetherby,  
Wheeler,  
Winans,  
Woodman,  
Woodward, 36

Mr. Pratt moved to reconsider the vote whereby the House refused to pass the bill.

Mr. Gregory moved to lay the motion to reconsider on the table.

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion to lay on the table did not prevail, by yeas and nays, as follows :

## YEAS.

Mr. Atwood,  
Brownell,  
Childs,  
Choate,  
Chapoton,  
Cooley,  
Fowle,  
Gilbert,  
Gregory,

Mr. A. L. Green,  
Hadley,  
Henderson,  
Hood,  
Jones,  
Joy,  
Miller,  
Peters,  
Sessions,

Mr. Shank,  
Shanahan,  
Stewart,  
Strong,  
Wheeler,  
Winans,  
Woodman,  
Woodward,

26

## NAYS.

Mr. Baker,  
Beamer,  
Bunce,  
Chase,  
Cox,  
Crego,  
Cutcheon,  
O. Davis,

Mr. Howell,  
Hurd,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Morrison,  
Moore,

Mr. Read,  
Smith,  
A. Stevens,  
Stoddard,  
Taylor,  
Tibbits,  
Toll,  
Wade,

|              |           |               |
|--------------|-----------|---------------|
| Ira Davis,   | Persons,  | Wallin,       |
| Douglas,     | Peterson, | Warner,       |
| Fallass,     | Phelps,   | Waterbury,    |
| Follett,     | Piper,    | Wetherby,     |
| Foote,       | Pratt,    | T. M. Wilson, |
| N. K. Green, | Pringle,  | J. B. Wilson, |
| Hemingway,   | Ramsdell, | Wright,       |
| Hill,        | Rankin,   | Speaker,      |
| Hodges,      |           | 49            |

The motion to reconsider the vote whereby the House refused to pass the bill prevailed.

Mr. Pringle moved to lay the bill on the table;

Which motion did not prevail.

Mr. Sessions moved that the House adjourn;

Which motion did not prevail.

Mr. Miller moved that the House adjourn until Monday morning at 9 o'clock;

Which motion did not prevail.

The question being upon the passage of the bill,

Mr. Hodges demanded the previous question ;

The demand was seconded, and the main question ordered.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

|              |             |               |
|--------------|-------------|---------------|
| Mr. Baker,   | Mr. Hodges, | Mr. Read,     |
| Beamer,      | Howell,     | Shank,        |
| Bunce,       | Hurd,       | Smith,        |
| Chase,       | Kanouse,    | A. Stevens,   |
| Chapoton,    | Kelsey,     | Stoddard,     |
| Cox,         | Leetch,     | Taylor,       |
| Crego,       | Lockwood,   | Tibbits,      |
| C. Davis,    | Moore,      | Toll,         |
| Ira Davis,   | Persons,    | Wade,         |
| Douglas,     | Peters,     | Warner,       |
| Fallass,     | Peterson,   | Waterbury,    |
| Follett,     | Phelps,     | Wetherby,     |
| Foote,       | Piper,      | T. M. Wilson, |
| Fowle,       | Pratt,      | J. B. Wilson, |
| N. K. Green, | Pringle,    | Woodman,      |
| Hadley,      | Ramsdell,   | Wright,       |
| Hemingway,   | Rankin,     | Speaker,      |
| Hill,        |             | 52            |

## NAYS.

|                |              |               |
|----------------|--------------|---------------|
| Mr. Alexander, | Mr. Gregory, | Mr. Sessions, |
| Atwood,        | A. L. Green, | Shanahan,     |
| Brownell,      | Henderson,   | Stewart,      |
| Childs,        | Hood,        | Strong,       |
| Choate,        | Jones,       | Wallin,       |
| Cooley,        | Joy,         | Wheeler,      |
| Cutcheon,      | Miller,      | Winans,       |
| Gilbert,       | Morrison,    | Woodward, 24  |

Title agreed to.

By unanimous consent, the Speaker presented the following report from the Grand Rapids and Indiana railroad company:

*To the Honorable the Legislature of the State of Michigan:*

The undersigned begs leave to comply with the request contained in the following resolution, adopted by the House of Representatives, on the 9th day of February, 1861, to wit:

*"Resolved, That the Grand Rapids and Indiana railroad company be requested to report to this legislature their true condition as regards section 12 of an act disposing of certain grants of lands to the State of Michigan for railroad purposes, by an act of Congress, approved June 3, 1856,"*

By presenting the following report. This report is necessarily gotten up in great haste, and therefore may contain some slight errors, but it is believed to be nearly correct:

This corporation was originally organized on the 18th day of January, 1854; the northern terminus then being on the State line, at a point directly south of the village of Sturgis.

The company did a considerable amount of work and engineering service under this organization, which was continued up to May 29, 1855, when the Grand Rapids and Southern Railroad Company was organized, the line of which extended from the above mentioned point on the State line to the city of Grand Rapids.

The work was then extended into this State, and continued up to August 28, 1855, in the name of the last mentioned company, when these two were consolidated and merged into one

under the name of the Grand Rapids and Indiana Railroad Company.

The work was still continued up to May 23, 1857, when the Grand Rapids and Mackinaw Railroad Company was organized; and on June 29th, of the same year, the Grand Rapids and Fort Wayne Railroad Company was organized, and all three of these were consolidated and merged into one on the 27th day of July, 1857, by which the present corporation was completed.

The following statement of the work will give as good an idea of its present condition as can readily be furnished :

The whole line, 350 miles, has been thoroughly surveyed, and located;

Nearly half of the work on the road bed from Wolcottville to LaGrange, 9 miles, is done;

It will not take more than \$1,500 to finish the road bed from LaGrange to Sturgis, in readiness for the ties, the length of which is 11 miles;

Nearly half the road bed is completed from Sturgis to Kalamazoo, a distance of 36 miles;

Several miles are graded between Kalamazoo and Grand Rapids, the precise amount of which I am unable to state; and

The work on the 20 miles extending from Grand Rapids north is nearly completed, so near that it can be finished as fast as the iron could be laid.

All of the expenditures for work, engineering, and all the incidental expenditures of the whole of the above mentioned companies, are brought forward, and charged to the account of this, and are included in this Report.

The Company's general bonds and mortgages are properly executed, and the latter are recorded in all the counties into which the line of the road extends.

#### SUBSCRIPTIONS PAID.

|                                                                             |              |
|-----------------------------------------------------------------------------|--------------|
| Amount paid to the original Indiana Company by citizens of that State,..... | \$ 98,893 82 |
| Amount paid to said Company by citizens of the State of Michigan,.....      | 72,000 00    |

|                                                |         |    |
|------------------------------------------------|---------|----|
| Total amount paid to the Indiana Company,..... | 170,893 | 82 |
| Amount paid to the Michigan Companies,.....    | 98,379  | 00 |

|                                        |           |    |
|----------------------------------------|-----------|----|
| Total amount paid in both States,..... | \$269,272 | 82 |
|----------------------------------------|-----------|----|

## RIGHT OF WAY.

|                                                                                                                        |          |    |
|------------------------------------------------------------------------------------------------------------------------|----------|----|
| Value of lands deeded to the Company for right of way by private landholders, on the land grant part of the road,..... | \$ 5,100 | 00 |
| Value of lands conveyed for the right of way by private landholders, south of Grand Rapids, in Michigan,.....          | 10,359   | 56 |
| Total in Michigan,.....                                                                                                | \$15,259 | 56 |
| Value of lands deeded for right of way by private landholders in the State of Indiana,.....                            | 5,000    | 00 |
| Total in both States,.....                                                                                             | \$20,459 | 56 |

## THE COMPANY'S MEANS.

|                                                                                          |             |      |
|------------------------------------------------------------------------------------------|-------------|------|
| Total amount of capital stock,.....                                                      | \$2,800,000 | 00   |
| Total amount of mortgage bonds,.....                                                     | 5,000,000   | 00   |
| Total amount of construction, and incidental service done,.....                          | 500,956     | 58   |
| Total amount of real estate on hand, subscribed and deeded to the Company,.....          | 27,323      | 00   |
| Total value of lands deeded to the Company for right of way,.....                        | 20,459      | 26   |
| Total amount of stock and bonds of other Companies, held by this,.....                   | 6,100       | 00   |
| Total amount of unpaid subscriptions to the capital stock of the company, now due,.....  | \$ 318,637  | 18   |
| Total amount of the land grant, as adjusted by the Departments at Washington—acres ..... | 678.85      | 9.70 |
| All of which is respectfully submitted.                                                  |             |      |

JOSEPH LOMAX,

*President G. R. & I. R. R. Co.*

OFFICE OF THE G. R. & I. R. R. Co., }  
*Kalamazoo, Feb. 19, 1861.*

On motion of Mr. Joy,

The report was laid on the table, and ordered printed.

On motion of Mr. Hemingway,

The House adjourned till Monday morning at 9 o'clock.

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*Lansing, Monday, March 11, 1861.*

House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Meyer.

Roll called: quorum present.

Absent without leave, Messrs. Bunce and Phelps.

Mr. Fallass asked and obtained leave of absence for Mr. Phelps for one day.

Mr. Leetch asked and obtained leave of absence for Mr. Bunce on account of sickness.

#### REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill appropriating certain highway taxes for the improvement of a road in the counties of Eaton and Ionia,

Respectfully report the same back to the House, with an amendment, and as the said bill has been largely petitioned for by those immediately interested therein, your committee recommend that the amendment be concurred in, that the bill do pass, and ask to be discharged from the further consideration thereof.

N. K. GREEN, *Chairman.*

On motion of Mr. Childs,

The House concurred in the amendment made by the committee.

On motion of Mr. A. L. Green,

The bill was placed on the order of third reading.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill, entitled

A bill to provide a tax for the expenses of the State government,

Have instructed me to report that the bill simply provides a tax of two mills on the dollar, of all the real and personal property of the State, for the years 1861 and 1862, to pay the expenses of the government, and the interest on the public debt.

This is more than the usual tax of past years, by nearly or quite one-half, and has been rendered necessary, in part, by the misconduct of the late State Treasurer, but much more by the large appropriations of past legislatures, without providing adequate means to meet them. The appropriations for the various institutions of the State, including the Asylums, Reform School, and the Prison, having, in six years, been \$930,513 00, or nearly a million of dollars ; and being more than the whole State tax for the same period, by the sum of \$298,057 34. During the time, the proper government expenses have been paid by the specific taxes, and the moneys coming into the Treasury from the various trust funds, primary school, university, and normal school funds—a policy mischievous in the extreme, and calculated greatly to mislead the people. The true policy is, that the people should each year pay by tax, the expenses of the government. It is that alone, which will induce them to watch its expenditures.

There remains still undrawn from the Treasury unexpended balances of appropriations made at the last session, and which the Treasury has been unable to meet, upwards of \$90,000, and with these balances and other liabilities against the Treasury, there exists an outstanding debt of upwards of \$200,000 to be paid out of the revenues of the next three years, and if this tax of two mills on the dollar shall be continued by the next Legislature, it will be three years still before the Treasury will be entirely relieved from their liabilities, even should no new appropriations be made a charge upon the general fund.

The necessity of the tax, therefore, is unquestionable, and it should be imposed without a doubt or inquiry, and every spe-



cific appropriation made by the Legislature should be by an act which should provide an additional tax to the amount of the appropriations to meet it. That this will be the policy of this Legislature there is no doubt; that it may be the policy of all succeeding ones is to be much hoped. As soon as the Treasury is relieved from the present burdens upon it, this tax may again be reduced, but at present the committee recommend that this bill pass as it came from the Senate.

JAMES F. JOY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Joy,

The bill was placed on its final passage.

The bill was then read a third time, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

|              |             |                |
|--------------|-------------|----------------|
| Mr. Adams,   | Mr. Hadley, | Mr. Read,      |
| Alexander,   | Henderson,  | Sessions,      |
| Atwood,      | Hemingway,  | Shank,         |
| Baker,       | Hill,       | Shanahan,      |
| Beamer,      | Hodges,     | Smith,         |
| Brownell,    | Hood,       | W. N. Stevens, |
| Chase,       | Howell,     | A. Stevens,    |
| Childs,      | Hurd,       | Stewart,       |
| Choate,      | Jones,      | Stoddard,      |
| Chapoton,    | Joy,        | Strong,        |
| Cooley,      | Kanouse,    | Taylor,        |
| Cox,         | Kelsey,     | Tibbits,       |
| Crego,       | Leetch,     | Toll,          |
| Cutcheon,    | Lockwood,   | Wade,          |
| C. Davis,    | Miller,     | Wallin,        |
| Ira Davis,   | Morrison,   | Warner,        |
| Douglas,     | Moore,      | Waterbury,     |
| Fallass,     | Persons,    | Wetherby,      |
| Follett,     | Peters,     | Wheeler,       |
| Foote,       | Peterson,   | T. M. Wilson,  |
| Fowle,       | Piper,      | J. B. Wilson,  |
| Gilbert,     | Pratt,      | Winans,        |
| Goodrich,    | Pringle,    | Woodman,       |
| Gregory,     | Ramadell,   | Wright,        |
| A. L. Green, | Rankin,     | Speaker,       |
| N. K. Green, |             |                |

## NAYS.

9

Title agreed to.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill, entitled

A bill making an appropriation for the support of the Michigan asylum for the deaf, dumb and blind, at Flint, and for completing certain portions thereof,

Have considered the same and have instructed me to report that the annual expense of the asylum is about \$8,000 for its current expenditures alone, which is an unavoidable expense, unless the institution shall be closed, and the committee find no difficulty in recommending it, as provided for in the bill which has passed the Senate. The remaining expenditures of money provided for in the bill is the sum of \$10,000 for the present year, and the further sum of \$7,500 for the year 1862, for the purpose of completing the basement and wings of the said asylum buildings, and the committee has hesitated very much, and had much greater difficulty with regard to it. The amount is not so absolutely necessary as the other, and yet the necessity of it appears to be very great. The expenditures upon this institution do not appear to have been made with the most jealous economy. With the means already expended there, two-thirds of the whole building ought to have been complete and already occupied, viz: the main building and one wing. The other wing should have remained without any expenditure thereon until the remaining portions had been completed and in use, and until it should have become necessary by reason of the scarcity of accommodations afforded by the portions of the structure which would then have been in use, and further appropriations might not have been absolutely necessary for some years, as the building which would have been complete would have sufficed for the wants and necessities of the deaf, dumb and blind children of the State, at least for a considerable period.

The expenditures have been made, however, with a view of

completing the whole structure, both wings and the main building, at the same time. The consequence is, that the walls of the whole structure as planned for the Asylum when it shall be completed are up, and the entire roof on, and the entire appropriation—with the exception of \$4,500—exhausted, and yet no part of this great edifice is ready for occupancy—a small structure standing in the rear, and being no part of either the main building or of the two wings, alone being ready for use. The whole structure stands therefore entirely useless—without floors, doors, or windows—a shell only—open from cellar to garret, and liable to injury from time and the elements so long as it shall remain in this state.

A moderate appropriation will enable those having charge of it to finish one wing and a part of the basement story, which appears to be essential that the pupils may have room for the various callings in which it may be desirable to instruct them.

As before stated, it is with reluctance that the committee have come to the conclusion to recommend any more appropriations than sufficient for the current expenditures, but this state of things and the evident necessity have induced them to acquiesce and recommend that the bill making this moderate appropriation be permitted to become a law.

They will remark, however, that the House may distinctly understand it that the amount of the sum thus appropriated for building purposes is in addition to the estimates of the committees of both Houses, and which make up the general tax for the support of the government, and paying the debt created by past appropriations and the defalcations of the late Treasurer, and that the bill provides that the amount appropriated for such purpose shall be assessed and collected in addition to the two mill tax recommended for general purposes.

JAMES F. JOY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The bill was placed on its final passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|              |                |                |
|--------------|----------------|----------------|
| Mr. Adams,   | Mr. Hemingway, | Mr. Shank,     |
| Alexander,   | Hill,          | Shanahan,      |
| Baker,       | Hodges,        | Smith,         |
| Beamer,      | Hood,          | W. N. Stevens, |
| Brownell,    | Howell,        | A. Stevens,    |
| Chase,       | Hurd,          | Stewart,       |
| Childs,      | Jones,         | Stoddard,      |
| Choate,      | Joy,           | Strong,        |
| Chapoton,    | Kanouse,       | Taylor,        |
| Cox,         | Kelsey,        | Tibbits,       |
| Crego,       | Leetch,        | Toll,          |
| Cutcheon,    | Lockwood,      | Wade,          |
| C. Davis,    | Morrison,      | Wallin,        |
| Ira Davis,   | Moore,         | Warner,        |
| Fallass,     | Persons,       | Waterbury,     |
| Follett,     | Peters,        | Wetherby,      |
| Foote,       | Peterson,      | Wheeler,       |
| Fowle,       | Piper,         | T. M. Wilson,  |
| Gilbert,     | Pratt,         | J. B. Wilson,  |
| Goodrich,    | Pringle,       | Winans,        |
| Gregory,     | Ramsdell,      | Woodman,       |
| A. L. Green, | Rankin,        | Woodward,      |
| N. K. Green, | Read,          | Wright,        |
| Hadley,      | Sessions,      | Speaker,       |
| Henderson,   |                |                |

73

## NAYS.

Mr. Cooley,

1

Title agreed to.

Mr. Howell, by unanimous consent, moved that the rule requiring the third reading of bills to be on a different day from that on which they are reported by a committee, be suspended for the remainder of the session;

Which motion prevailed.

By the committee on ways and means :

The committee on ways and means, to whom was referred Senate bill, being

A bill making appropriations for the Michigan asylum for the insane,

Having duly considered the same, have instructed me to submit the following report :

Early in the session, your committee became convinced of the necessity of avoiding all unnecessary expenses, and of limiting appropriations for all purposes to the absolute necessities of the State.

We have resisted constantly all private and local appeals, and have hoped that those State institutions that are commenced, and that are so necessary to the welfare and the honor of the people, could be kept alive, and made to subserve all present pressing wants, by such appropriations only, as would meet their annual running expenses.

Unfortunately for us, we are compelled to decide these questions, on a state of facts that we cannot control, that it would be wrong in us to overlook, and that are directly opposite to our wishes.

The Asylum at Kalamazoo, in its present unfinished condition, will accommodate about 130 patients. The number of insane persons in the State is about 600, one-half, at least, fit subjects for asylum treatment, and all the most unfortunate, helpless and hopeless, of the human race. Without such treatment, promptly and speedily, there is indeed no hope for them. Yet each successive applicant, henceforth, must receive the sad and sickening reply, "the wards are all full—we have no place for you."

We feel that this Asylum has already been delayed too long, by years ; and though it is unfortunate that the building up of nearly all our State institutions has been thrown upon us at one time, and that the burden is much more pressing on that account, still, we have confidence in the people we represent, that they will bear without complaint, all the obligations imposed by justice and humanity.

Ninety thousand dollars will be yet required to complete the asylum and put it in a condition to treat 300 patients. If the bill herewith reported shall pass, it will yet require another appropriation of \$40,000 before the people of the State can realize

the full benefit of the amount already expended, and the delay will not be less than four years under the most favorable circumstances. The bill appropriates \$25,000 each year for 1862 and 1863, to be levied in the tax of 1861 and 1862. This amount levied on a valuation of \$160,000,000, the estimated equalized valuation of those years, will amount to the trifling sum of less than ten cents on a valuation of \$600, and nearly one dollar on a valuation of \$6,000.

We respectfully submit whether the people of Michigan would not prefer to pay this trifling amount, in addition to all other taxes, rather than suffer even 100 of their suffering insane to remain in their present hopeless condition.

However much we regret the necessity, reluctant as we are to perform this duty, we feel it to be none the less urgent. We therefore recommend that the bill do pass, and ask that the committee be discharged from the further consideration of the same.

ALONZO SESSIONS,  
THOS. D. GILBERT,  
CHAS. W. WETHERBY,  
E. MUNSON CHOATE.

Report accepted and committee discharged.

On motion of Mr. Howell,

The bill was placed on its final passage.

The bill was then read a third time, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Adams,  
Alexander  
Atwood,  
Baker,  
Beamer,  
Brownell,  
Chase,  
Childs,  
Choate,  
Cox,

Mr. Henderson,  
Hemingway,  
Hill,  
Hodges,  
Howell,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,

Mr. Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,

|              |           |               |
|--------------|-----------|---------------|
| Orego,       | Leetch,   | Tibbits,      |
| Outcheon     | Lockwood, | Toll,         |
| C. Davis,    | Miller.   | Wade,         |
| Ira Davis,   | Morrison, | Wallin,       |
| Douglas,     | Moore,    | Warner,       |
| Fallass,     | Persons,  | Waterbury,    |
| Follett,     | Peters,   | Wetherby,     |
| Foots,       | Peterson, | Wheeler,      |
| Fowle,       | Piper,    | T. M. Wilson, |
| Gilbert,     | Pratt,    | J. B. Wilson, |
| Goodrich,    | Pringle,  | Winans,       |
| A. L. Green, | Ramsdell, | Woodman,      |
| N. K. Green, | Rankin,   | Woodward,     |
| Hadley,      | Read,     | Wright,       |

74

## NAYS.

|               |              |           |
|---------------|--------------|-----------|
| Mr. Chapoton, | Mr. Gregory, | Mr. Hood, |
| Cooley,       |              |           |

4

Title agreed to.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures, to whom was referred

A bill to provide for the free passage of fish up and down the Huron river,

Would respectfully report that they have had the same under consideration, and have instructed their chairman to report the same back to the House with certain amendments, and recommend that when so amended the bill do pass, and ask to be discharged from the further consideration thereof.

J. W. CHILDS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The House concurred in the amendments made by the committee.

Mr. Childs moved that the bill be placed on its final passage; Which motion prevailed.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |                |                |
|----------------|----------------|----------------|
| Mr. Alexander, | Mr. Hemingway, | Mr. Shanahan,  |
| Atwood,        | Hill,          | W. N. Stevens, |
| Beamer,        | Hodges,        | A. Stevens,    |
| Brownell,      | Hood,          | Strong,        |
| Chase,         | Howell,        | Taylor,        |
| Childs,        | Jones,         | Tibbits,       |
| Cooley,        | Kanouse,       | Toll,          |
| Cox,           | Leetch,        | Wade,          |
| Crego,         | Moore,         | Wallin,        |
| C. Davis,      | Piper,         | Wetherby,      |
| Douglas,       | Pratt,         | T. M. Wilson,  |
| Fallais,       | Ramsdell,      | J. B. Wilson,  |
| Foots,         | Rankin,        | Winans,        |
| Goodrich,      | Read,          | Woodward,      |
| A. L. Green,   | Sessions,      | Wright,        |
| Hadley,        | Shank          | Speaker, 48    |

## NAYS.

|            |              |              |
|------------|--------------|--------------|
| Mr. Adams, | Mr. Gregory, | Mr. Persons, |
| Baker,     | N. K. Green, | Peters,      |
| Choate,    | Henderson,   | Peterson,    |
| Chapoton,  | Hurd,        | Pringle,     |
| Cutcheon,  | Joy,         | Smith,       |
| Ira Davis, | Kelsey,      | Stewart,     |
| Follett,   | Lockwood,    | Stoddard,    |
| Fowle,     | Miller,      | Warner,      |
| Gilbert,   | Morrison,    | Woodman, 27  |

The question being on agreeing to the title,

Mr. Childs offered the following as a substitute:

A bill to provide for the erection and maintenance of shutes for the passage of fish through the dams across the streams of this State.

Mr. Ramsdell moved to amend the substitute by inserting the word "navigable" before the word "streams;"

Which motion did not prevail.

The substitute was then adopted.

The title, as amended by the substitute, was then agreed to.

Mr. Wallin moved to reconsider the vote whereby the Bill passed.

On motion of Mr. Howell,

The motion to reconsider was laid on the table.



By the committee on ways and means :

The committee on ways and means, to whom was referred Senate joint resolution, entitled

Joint resolution authorizing a settlement with Warren Thompson, Sidney Green, John Stuart, Richard Peters, Charles Dean, T. G. Barker,

Respectfully report that the said joint resolution authorizes and requires the board of State auditors to make a just and equitable settlement with the said parties, for damage sustained by them by reason of damages for land taken for right of way on the line of the Southern railroad when the same was owned by the State.

Your committee have nothing to say as to the justice of the claims. They are of long standing, and may never have been settled or paid, and so far as knowledge has come to the committee, they judge that they have not been paid. Though if so, it has not been by any fault of the State, ample provisions having been made for that end.

The constitution has given jurisdiction to the board of State auditors to examine and adjust all claims against the State, and has forbidden the Legislature to audit and allow any private claims. That object of these provisions was evidently to prevent these claims coming before the Legislature—to consume its time—and at the same time to provide a jurisdiction for their adjustment. The court, for such it is as to claims against the State, has its duties under the constitution, and is not in any way required to act upon the advice, requirement and direction of the Legislature, and that body has no right or power to authorize, or require it to act upon or adjust any private claims upon equitable or other principles. The Legislature ought not to endeavor to bias its action or control it in any manner, and the board ought not to listen to or be influenced by such efforts to influence it. The former, in recommending or requiring it to adjust claims, is as much usurping power as if by its action it should endeavor to influence or control the action of any other constitutional court; and if the latter listened to any recom-

mentation or advice from the Legislature in discharging its functions, it would, in so far as it does so, fail to exercise *its own judgment*, which alone is entrusted with, and must decide upon the interests of the State in all these cases. No claim of this nature should ever come before the Legislature, and when such does come the Legislature should not in any way by its action seek to influence another tribunal.

It is not possible for the Legislature by any action it may take, to enlarge the jurisdiction of that board. It is not necessary, therefore, that any such claims should first be presented to the Legislature, and the board cannot properly listen to or regard any recommendation, resolution, or order which it may take, in the judgment of the committee. They recommend, therefore, that the joint resolution do not pass.

JAMES F. JOY, *Chairman*

Report accepted and committee discharged.

On motion of Mr. Cutcheon,

The joint resolution was placed on the order of third reading.

By the committee on ways and means :

The committee on ways and means, to whom was referred Senate joint resolution, entitled

Joint resolution for the relief of Preston Mitchell and John Mitchell;

Also, House joint resolution, entitled

Joint resolution for the relief of C. G. Darling and others;

Have considered the same, and respectfully report, that from all the information they have been able to obtain, there is no merit in the claims and that for that reason the same ought not to pass. They think, also, that the Legislature cannot properly take any action upon them. They are some of the first fruits, probably of a large harvest of such claims hereafter destined to arise from numerous contracts for building roads with swamp lands. The parties were contractors upon such a road, and these are claims arising under the contracts. They are private claims against the State, and by the constitution all such claims must go before the Board of State Auditors, unless there

be some general provision of law for their settlement otherwise. The committee do not deem it competent for the Legislature to refer the claim by special acts or resolutions to any other than the constitutional board for the adjustment of all such claims, and for reasons stated in the report upon the joint resolution for the relief of Warren Thompson and others, they think the resolutions ought not to be amended so as to refer it to that board. They therefore recommend that the resolutions do not pass.

JAMES F. JOY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Sessions,

The joint resolutions were laid on the table.

By the committee on ways and means :

The committee on ways and means, to whom was referred the petition of the Phoenix Mining Company to be refunded the amount of specific tax paid by it for the year 1855, have considered the same, and have instructed me to recommend that the prayer of the petitioners be not granted.

The company was liable to a specific tax of one per cent. upon its capital paid in. By an act of the Legislature, passed Feb. 15, 1855, the mode of taxation was changed from one per cent. on the capital stock, to a per centage on mineral produced from the mine. This law took effect in May following, and the tax was payable for the year which had passed, on the first of July, about six months afterwards.

The tax was subsequently paid, and it does not appear that it legally was contested on demand. It does not appear that it was paid by duress under a protest. If it be refunded, then the company pay no tax for that year upon a large property.

The committee, therefore, cannot recommend that the prayer of the petitioners be granted.

JAMES F. JOY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Howell,

The petition was laid on the table.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill, entitled

A bill relative to brokers and exchange dealers,

Have instructed me to return the same to the House, and recommend that the same do pass.

JAMES F. JOY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Sessions,

The bill was placed on the order of third reading.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill, entitled

A bill authorizing the supervisors of the several towns in the upper peninsula to assess and collect the State taxes upon all mining companies' real estate or other property,

Have instructed me to report the same back without amendment, and recommend its passage.

JAMES F. JOY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. A. L. Green,

The bill was placed on the order of third reading.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill, entitled

A bill relative to the letting of contracts by State officers, boards of control, inspectors, or commissioners,

Have considered the same and made some amendments thereto, and when so amended, recommend its passage.

JAMES F. JOY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Childs,

The House concurred in the amendments made by the committee.

On motion of Mr. Sessions,

The bill was placed on the order of third reading.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred Senate bill, entitled

A bill for the construction of a road in Saginaw county,

Respectfully report that they have had the same under consideration, and find upon inquiry that the building of the proposed road would, in their opinion, reclaim a considerable portion of State swamp lands in the vicinity of said road, and also that the road, being but about eight miles in length, is much needed by the citizens of Saginaw and Bay counties. They therefore recommend that the bill do pass, and ask to be discharged from the further consideration of the same.

N. K. GREEN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. N. K. Groen,

The bill was placed on the order of third reading.

By the committee on ways and means:

The committee on ways and means, to whom was referred House joint resolution, entitled

Joint resolution for the relief of Charles Whittlesey,

Respectfully report that the said resolution provides for conveying, by the Commissioner of the State Land Office, certain lands to the said Whittlesey, upon the ground that he has paid therefor and is entitled thereto.

The said Whittlesey seems to have left with Porter Kibbee, Esq., late Commissioner of the Land Office, an amount of money to be applied in payment of perhaps this land when the same could be legally thereafter entered. There was no law authorizing such deposit, and the commissioner by law was only authorized to receive money on the *entry of the land*.

Whittlesey seems to have left the money with Mr Kibbee, that when the land became liable to entry, he might be the first applicant and make sure of his land. In such a transaction, however, Kibbee must be deemed to be his agent, as to the money, as much as one of the clerks of the office would have been had the money been left in his instead of Kibbee's hands. The

money was not received in payment for land because the land was not then in market. It was not applied by Kibbee, who, in this matter, cannot be considered in any other light than an agent of Whittlesey to enter a certain tract of land for him to pay for the land, but kept by Kibbee. As the law did not authorize the transaction, and Kibbee could not thus receive money on account of the State, but only on account of Whittlesey, the committee do not deem the State in any way liable therefor, and consequently recommend that the joint resolution do not pass.

J. F. JOY, *Chairman*.

Report accepted and committee discharged.

Mr. Hill moved that the joint resolution be placed on the order of third reading;

On motion of Mr. Childs,

The joint resolution was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred House joint resolution, entitled

Joint resolution relative to the sale of lands for taxes in the year 1860, in the counties of Lake and Mason,

Respectfully report that they have ascertained at the proper office that the lands returned for non-payment of taxes in the counties of Lake and Mason, were advertised for sale in a newspaper published in the county of Muskegon, and at that time there was a newspaper published in the county of Newaygo, which adjoins the county of Mason, which is unorganized and attached to the county of Lake for judicial and other purposes. The north-west corner of Newaygo also touches the south-east corner of Lake county, whereas the county of Muskegon, where the paper was published in which the lands were advertised, is wholly separate and distinct from both Lake and Mason counties. Your committee therefore consider the tax sale to have been illegal, although the late Auditor General decided otherwise. But the majority of your committee doubt the propriety of interference by the legislature, with the proper duties of the

present Auditor General, whose province, in their opinion, it is to act upon this matter, and therefore report the above facts and opinions, with the resolution referred to them, for the action of the House.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The joint resolution was laid on the table.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to authorize the common council of the city of Lansing to vacate a portion of a certain street therein, and to provide for the disposition of the same.

Respectfully report that they have had the same under consideration, and report it back with a joint resolution as a substitute therefor, and they recommend that it do pass, and ask to be discharged from the further consideration of the subject;

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Pringle,

The House concurred in the substitute made by the committee.

On motion of Mr. Howell,

The joint resolution was placed on the order of third reading.

By the judiciary committee:

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend section 8, of chapter 86, of the revised statutes of 1846, regulating the execution of deeds and other instruments affecting real estate,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bill was laid on the table.

By the judiciary committee :

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend chapter 170, of the revised statutes of 1846, being chapter 200 of the compiled laws, by adding four new sections thereto,

Respectfully report that they have had the said bill under consideration, and return the same to the House with the accompanying amendments, recommend that the amendments be concurred in, and that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Gregory,

The House concurred in the amendments made by the committee.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

By the committee on the judiciary :

The committee on the judiciary, to whom was recommitted House bill, entitled

A bill to amend section 75, of chapter 16, of the revised statutes of 1846, being section 567, of the compiled laws,

Respectfully report that according to instructions they have struck out all of said bill after the enacting clause, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Howell,

The House concurred in the action of the committee.

On motion of Mr. Howell,

The enacting clause was laid on the table.

By the judiciary committee :



The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to preserve the purity of elections,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Phelps,

The bill was placed on the order of third reading.

By the judiciary committee :

The committee on the judiciary, to whom was recommitted Senate bill, entitled

A bill to amend section 59, chapter 6, of the compiled laws, concerning the canvassing of votes at elections,

Respectfully report that they have amended the same as instructed, and ask to be discharged from the further consideration thereof.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Childs,

The House concurred in the amendments made by the committee.

On motion of Mr. Baker,

The bill was placed on the order of third reading.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to provide for the appointment of examiners in chancery,

Respectfully report that they have had the same under consideration, report it back without recommendation, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bill was placed on the order of third reading.

By the judiciary committee :

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to amend section 3, of chapter 1, of revised statutes of 1846, being section 2 of chapter 1 of compiled laws,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Childs,

The bill was laid on the table.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to provide for contesting the election of township and county officers,

Respectfully report that a similar bill to the one in question has passed the Senate and has been acted upon favorably by this committee; they therefore recommend that this bill do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Ramsdell,

The bill was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill, being

A bill to amend an act to incorporate the city of Owosso, approved February 15, 1861,

Respectfully report that, supposing the same to be intended as an amendment of an act with such a title, approved in 1859, they have considered the same and have proposed certain

amendments thereto, which are herewith submitted, and recommend that when so amended the bill do pass, and ask to be discharged from the further consideration thereof.

EUGENE PRINGLE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Howell,

The House concurred in the amendments made by the committee.

On motion of Mr. Pringle,

The bill was placed on the order of third reading.

By the committee on banks and incorporations :

The committee on banks and incorporations, to whom was referred Senate bill, entitled

A bill to amend an act incorporating the Boston & Pittsburgh Mining Company, approved March 18, 1848,

Respectfully report that they have had the same under consideration, and are of opinion that the same ought not to pass, for the reason that it is beyond the power of the Legislature to make the change proposed.

EUGENE PRINGLE, *Chairman*.

Report accepted and committee discharged.

Mr. Sessions moved to lay the bill on the table;

Which motion did not prevail.

On motion of Mr. Douglas,

The bill was placed on the order of third reading.

By the committee on banks and incorporations :

The committee on banks and incorporations, to whom was referred

A bill to define the laws of taxation for certain territory therein named,

Respectfully report that they have had the same under consideration, and return the bill to the House with the recommendation that it do not pass, and ask to be discharged from the further consideration thereof.

E. PRINGLE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Sessions,  
The bill was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred House bill, entitled

A bill to amend an act entitled an act to incorporate the city of Jackson, approved February 14, 1857,

Respectfully report that they have had the same under consideration, and return the same to the House without amendment and with a recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

EUGENE PRINGLE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill, entitled

A bill to amend an act entitled an act to authorize the business of banking,

Respectfully report that they have had the same under consideration, and return the same to the House with a recommendation that it do not pass, and ask to be discharged.

EUGENE PRINGLE, *Chairman*.

The report was accepted, the committee discharged.

On motion of Mr. Leetch,

The bill was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill, entitled

A bill granting to the Grand River Valley Railroad Company the right of way across certain State lands, and extending the time for the construction of the same,

Respectfully report that they have had the same under consideration, and return the same to the House without amend-

ment, with a recommendation that it do pass, and ask to be discharged from the further consideration thereof.

EUGENE PRINGLE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 72, being

A bill to amend an act entitled an act to provide for the incorporation of railroad companies, approved February 12, 1855,

Have had the same under consideration, and and report it back with certain amendments, and ask that they be adopted, and when so amended recommend that the bill do pass, and ask to be discharged from the further consideration of the subject,

E. PRINGLE, *for committee*.

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the amendments made by the committee.

On motion of Mr. Gregory,

The bill was placed on the order of third reading.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed and presented to the Governor, the following entitled bills:

A bill to organize the Wayne county poor farm into a school district, and appropriate public moneys to the education of poor children;

A bill to repeal an act entitled an act to amend an act entitled an act to reorganize the county of Emmet, approved February 3, 1858;

A bill to amend an act entitled an act to organize the Michigan asylum for the insane, and more effectually to provide for the care, maintenance and recovery of the insane;

A bill to amend chapter 23 of the compiled laws, relative to obstructions and encroachments of highways;

A bill to relieve observers of the seventh day of the week from the necessity of defending suits in violation of their consciences;

A bill to apportion the representatives among the several counties and districts of this State.

A. L. GREEN, *Chairman*.

Report accepted.

By the committee on State affairs :

The committee on State affairs, to whom was referred Senate bill, entitled

A bill for the apportionment of Senators in the State Legislature,

Have had the same under consideration, and instructed me to report the bill back to the House with two amendments, and recommend that it do pass, and ask to be discharged from the further consideration thereof.

A. H. MORRISON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Childs,

The House concurred in the amendments made by the committee.

Mr. Morrison moved that the bill be placed on its final passage; Which motion prevailed.

Mr. A. Stevens moved to lay the bill upon the table;

Which motion did not prevail.

On motion of Mr. Howell,

The reading of the bill *in extenso* was dispensed with.

The bill was then read a third time, by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,

Mr. N. K. Green,  
Hadley,  
Henderson,  
Hemingway,

Mr. Pratt,  
Ramsdell,  
Rankin,  
Read,

|              |           |                |
|--------------|-----------|----------------|
| Brownell,    | Hill,     | Sessions,      |
| Chase,       | Hodges,   | Shanahan,      |
| Childs,      | Hood,     | Smith,         |
| Choate,      | Hurd,     | W. N. Stevens, |
| Cox,         | Jones,    | Stewart,       |
| Crego,       | Joy,      | Taylor,        |
| Cutcheon,    | Kanouse,  | Tibbits,       |
| C. Davis,    | Kelsey,   | Toll,          |
| Ira Davis,   | Leetch,   | Wade,          |
| Fallass,     | Miller,   | Waterbury,     |
| Follett,     | Morrison, | Wetherby,      |
| Foote,       | Moore,    | T. M. Wilson,  |
| Fowle,       | Persons,  | Woodman,       |
| Goodrich,    | Peters,   | Woodward,      |
| Gregory,     | Peterson, | Wright,        |
| A. L. Green, | Piper,    | Speaker, 60    |

## NAYS.

|             |             |                  |
|-------------|-------------|------------------|
| Mr. Atwood, | Mr. Howell, | Mr. A. Stevens,  |
| Cooley,     | Lockwood,   | Stoddard,        |
| Douglas,    | Pringle,    | Strong,          |
| Gilbert,    | Shank,      | J. B. Wilson, 12 |

By the committee on State affairs:

The committee on State affairs, to whom was referred House bill entitled

A bill to provide for establishing and preserving section and quarter post corners on the United States survey;

Have had the same under consideration, and the majority of said committee have instructed me to report a substitute back to the House, with a recommendation that it do pass, and ask to be discharged from its further consideration.

A. H. MORRISON, *Chairman*.

Report accepted and committee discharged

On motion of Mr. Sessions,

The House concurred in the substitute offered by the committee.

On motion of Mr. Howell,

The bill was placed on the order of third reading.

By the committee on public lands:

The committee on public lands, to whom was referred House bill entitled,

A bill to amend act No. 255 of the laws of 1859, approved February 15, 1859, entitled an act for laying out and establishing a State road from Midland city, in the county of Midland, to St. Charles, in the county of Saginaw,

Respectfully report that they have had the same under consideration, return the same to the House without amendment, recommend that it do pass, and ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

J. C. WATERBURY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hill,

The bill was placed on the order of third reading.

By the committee on public lands:

The committee on public lands, to whom was referred House bill, entitled

A bill to amend sec. 3, of session laws of 1859, for laying out and establishing a State road in Saginaw and Genesee counties,

Have had the same under consideration, and report it back without amendment, and recommend that the bill do pass.

J. C. WATERBURY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Fowle,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill, entitled

A bill relative to plank roads,

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation, and ask to be discharged from the further consideration thereof.

C. S. GREGORY, *for the Committee*.

Report accepted and committee discharged.



On motion of Mr. Waterbury,  
The bill was placed on the order of third reading.

## REPORTS OF SELECT COMMITTEES.

The select committee, to whom was referred House bill, entitled

A bill giving lumbermen a lien on logs and lumber for their personal services,

Report that they have instructed their chairman to report a substitute for section 1 of said bill, and when so amended, recommend its passage, and ask to be discharged from the further consideration thereof.

W. T. HOWELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Taylor,

The House concurred in the amendments made by the committee.

Mr Childs moved that the bill be placed on its final passage;  
Which motion prevailed.

The question being upon the passage of the bill,

Mr. Gilbert demanded the previous question.

The demand was seconded and the main question ordered.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |             |               |
|----------------|-------------|---------------|
| Mr. Alexander, | Mr. Hodges, | Mr. Ramsdell, |
| Baker,         | Hood,       | Rankin,       |
| Beamer,        | Howell,     | Sessions,     |
| Chase,         | Hurd,       | Shanahan,     |
| Childs,        | Jones,      | Stewart,      |
| Cox,           | Kanouse,    | Stoddard,     |
| Crego,         | Leetch,     | Taylor,       |
| C. Davis,      | Lockwood,   | Tibbits,      |
| Douglas,       | Morrison,   | Toll,         |
| Fallass,       | Moore,      | Wade,         |
| Follett,       | Persons,    | Wetherby,     |
| Fowle,         | Peters,     | T. M. Wilson, |
| Goodrich,      | Peterson,   | Woodman,      |
| A. L. Green,   | Piper,      | Wright,       |

Hemingway,  
Hill,

Pratt,

Speaker,

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## NAYS.

Mr. Adams,  
Brownell,  
Choate,  
Chapoton,  
Cooley,  
Cutcheon,  
Ira Davis,  
Foote,Mr. Gilbert,  
Gregory,  
N. K. Green,  
Hadley,  
Henderson,  
Joy,  
Miller,  
Shank,Mr. Smith,  
W. N. Stevens,  
A. Stevens,  
Strong,  
Wallin,  
Waterbury,  
Winans,  
Woodward, 24

The question being upon agreeing to the title,

Mr. Howell moved to strike out the words "or lumber;"

Which motion prevailed.

The title was then agreed to.

## MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,  
Lansing, March 8, 1861. }*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to re-transmit the following entitled bill:

A bill to amend sections 3520, 3521 and 3522, of chapter 115 of the compiled laws, concerning the abatement and revivor of suits in chancery,

And to inform the House that the Senate does not concur in the amendments made by the House.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Howell moved that the House recede from its amendments;

Which motion prevailed, by yeas and nays, as follows :

## YEAS.

Adams,  
Mr. Alexander,  
Baker,  
Beamer,  
Brownell,  
Chase,Mr. Hadley,  
Henderson,  
Hemingway,  
Hood,  
Howell,  
Hurd,Mr. Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Taylor,

Childs,  
Choate,  
Chapoton,  
Cooley,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
A. L. Green,

Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Persons,  
Peterson,  
Piper,  
Ramsdell,  
Rankin,  
Read,  
Sessions,

Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

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NAYS.

Mr. Cox,

Also the following:

SENATE CHAMBER,  
Lansing, March 9, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bill:

A bill making appropriations for the support of the State Agricultural College, the State Board of Agriculture, and the State Agricultural Society;

Which have passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Also the following:

SENATE CHAMBER,  
Lansing, March 9, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bills:

1. A bill to authorize the district judge of the Upper Peninsula to convey certain lands held in trust, under the act of Congress of May 23, 1844;

2. A bill for the assessment of damages caused by the flowing of lands by the erection of mill dams;

3. A bill for the collection of damages sustained by detective bridges on the public highways;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first and second named bills were read a first and second time by their titles, and referred to the committee on judiciary.

The third named bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Also the following:

SENATE CHAMBER, }  
Lansing, March 9, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bills:

1. A bill to amend the charter of the city of Port Huron;

2. A bill to authorize the formation of gymnastic associations;

3. A bill relative to interest on contracts between citizens of this State and other States and countries, or payable elsewhere than in this State;

4. A bill to prevent the adulteration of coal oils,

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, March 9, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following joint resolution and bill :

Joint resolution for the relief of the Detroit locomotive works;

Also,

A bill to change the boundaries of the county of Houghton, and establish the county seat thereof ;

Which the Senate has amended as follows :

Strike out, in line 1, section 2, the words "in the village of Houghton."

Strike out all after the word "county," in section 3, and insert "as now provided by law ;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The joint resolution was referred to the Committee on engrossment and enrollment for enrollment.

The amendments to the bill were concurred in, by yeas and nays, as follows :

#### YEAS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Brownell,  
Chase,  
Choate,  
Cooley,  
Crego,

Mr. Henderson,  
Hemingway,  
Hodges,  
Hood,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,

Mr. Shannahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,

|              |           |               |
|--------------|-----------|---------------|
| Cutcheon,    | Leetch,   | Toll,         |
| Ira Davis,   | Lockwood, | Wade,         |
| Douglas,     | Miller,   | Wallin,       |
| Fallass,     | Morrison, | Waterbury.    |
| Foot,        | Peters,   | Wetherby,     |
| Fowle,       | Peterson, | Wheeler,      |
| Gilbert,     | Piper,    | T. M. Wilson, |
| Goodrich,    | Pratt,    | Winans,       |
| Gregory,     | Ramsdell, | Woodman,      |
| A. L. Green, | Rankin,   | Woodward,     |
| N. K. Green, | Read,     | Wright,       |
| Hadley,      | Shank,    | Speaker, 63   |

NAYS.

Mr. C. Davis, 1

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Also the following:

SENATE CHAMBER, }  
Lansing, March 11, 1861. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit the following entitled bill:

A bill to amend act No. 200 of the session laws of 1859, being an act to encourage the manufacture of salt in the State of Michigan, approved February 15, 1859,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

Secretary of the Senate

The bill was read a first and second time, by its title, and referred to committee on salt interest.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Tibbits offered the following:

Resolved, That two members be added to the committee on engrossment and enrollment;

Which was adopted.

The Speaker appointed Messrs Rankin and Jones as such additional members of said committee.

Mr. Lockwood moved to take from the table Senate bill No. 80, being

A bill to amend section 1661 and 1677, of chapter 52, of compiled laws, in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage;

Which motion prevailed.

Mr. Howell moved that the bill be placed on its final passage;

Which motion prevailed.

Mr. Childs moved a call of the House ;

Which was ordered.

Upon the call of the roll by the Clerk, Messrs. Follett, Hill, Moore and J. B. Wilson were reported absent without leave.

On motion of Mr. Sessions,

Mr. Follett was excused on account of sickness.

On motion of Mr. Tibbits,

The Sergeant-at-Arms was dispatched after the absentees.

The Sergeant-at-Arms announced Mr. J. B. Wilson at the bar of the House.

On motion of Mr. Howell,

Mr. J. B. Wilson was admitted to his seat, without rendering an excuse.

Mr. Sessions moved that all further proceedings under the call be dispensed with ;

Which motion did not prevail.

The Sergeant-at-Arms announced Mr. Moore at the bar of the House.

Mr. Moore was admitted within the bar, and rendered an excuse which was accepted by the House, and he was admitted to his seat.

On motion of Mr. Alexander,

All further proceedings under the call were dispensed with.

Mr. Ramsdell demanded the previous question on the passage of the bill.

The demand was seconded, and the main question ordered.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|            |               |             |
|------------|---------------|-------------|
| Mr. Adams, | Mr. Goodrich, | Mr. Pratt,  |
| Alexander, | A. L. Green,  | Ramsdell,   |
| Atwood,    | N. K. Green,  | Rankin,     |
| Baker,     | Hadley,       | Read,       |
| Beamer,    | Henderson,    | Shanahan,   |
| Chase,     | Hemingway,    | Stoddard,   |
| Childs,    | Hodges,       | Taylor,     |
| Cooley,    | Howell,       | Tibbits,    |
| Cox,       | Hurd,         | Wade,       |
| Crego,     | Jones,        | Wallin,     |
| Cutcheon,  | Kanouse,      | Waterbury,  |
| C. Davis,  | Kelsey,       | Wetherby,   |
| Ira Davis, | Miller,       | Winans,     |
| Fallass,   | Moore,        | Woodman,    |
| Foote,     | Persons,      | Woodward,   |
| Fowle,     | Piper,        | Speaker, 48 |

## NAYS.

|               |               |                 |
|---------------|---------------|-----------------|
| Mr. Brownell, | Mr. Lockwood, | Mr. A. Stevens, |
| Choate,       | Morrison,     | Stewart,        |
| Chapoton,     | Peters,       | Strong,         |
| Douglas,      | Peterson,     | Toll,           |
| Gilbert,      | Pringle,      | Warner,         |
| Gregory,      | Sessions,     | Wheeler,        |
| Hood,         | Shank,        | T. M. Wilson,   |
| Joy,          | Smith,        | J. B. Wilson,   |
| Leetch,       | W. N. Stevens | 26              |

Title agreed to.

Mr. O. Davis gave notice that, on to-morrow, he would move to reconsider the vote whereby the above bill was passed.

Mr. Howell moved to reconsider the vote whereby the bill passed;

Mr C. Davis rose to a point of order, that the motion was not in order, notice having been given of a motion to reconsider to-morrow, and the bill, under the rules, must be retained by the Clerk until that time-



The Speaker decided the motion to reconsider to be in order.

Mr. Baker demanded the yeas and nays;

The demand was seconded and the motion to reconsider did not prevail, by yeas and nays, as follows :

## YEAS.

|               |             |                 |
|---------------|-------------|-----------------|
| Mr. Brownell, | Mr. Leetch, | Mr. A. Stevens, |
| Choate,       | Peters,     | Stewart,        |
| Chapoton,     | Peterson,   | Strong,         |
| C. Davis,     | Pringle,    | Toll,           |
| Gilbert,      | Read,       | Warner.         |
| Giegory,      | Sessions,   | T. M. Wilson,   |
| Hood,         | Shank,      | J. B. Wilson,   |
| Joy,          | Smith,      | Wright,         |
| Kelsey,       |             |                 |

25

## NAYS

|              |                  |                |
|--------------|------------------|----------------|
| Mr. Adams,   | Mr. N. K. Green, | Mr. Ramsdell,  |
| Alexander,   | Hadley,          | Rankin,        |
| Atwood,      | Henderson,       | Shanahan,      |
| Baker,       | Hemingway,       | W. N. Stevens, |
| Beamer,      | Hill,            | Stoddard,      |
| Chase,       | Hodges,          | Taylor,        |
| Childs,      | Howell,          | Tibbits,       |
| Cooley,      | Hurd,            | Wade,          |
| Cox,         | Jones,           | Wallin,        |
| Crego,       | Kanouse,         | Waterbury,     |
| Cutcheon,    | Lockwood,        | Wetherby,      |
| Ira Davis,   | Miller,          | Wheeler,       |
| Fallase,     | Merrison,        | Winans,        |
| Foote,       | Moore,           | Woodman,       |
| Fowle,       | Persons,         | Woodward,      |
| Goodrich,    | Piper,           | Speaker,       |
| A. L. Green, | Pratt,           |                |

50

Mr. Pratt offered the following:

*Whereas*, The older counties of this State formerly contained considerable tracts of swamp lands, which have been sold and the proceeds used for general purposes;

*t And whereas*, Many places in said counties, where roads are needed, are low and swampy and might be drained by means of proper roads;

*And whereas*, Several bills have been introduced into this House looking to that object; therefore, be it

*Resolved*, That a special committee of seven, of which Hon.

E. Pringle shall be chairman, be appointed, with instructions to examine into and report to this House such of said bills as shall seem meritorious, and providing for the construction of the roads named therein, by appropriations of swamp lands to an amount not to exceed in value, at \$1 25 per acre, the amount of the original avails of the swamp lands, sold as aforesaid in said counties respectively.

Mr. Joy moved that the resolution be indefinitely postponed.

Mr. Howell moved to lay the resolution on the table;

Which motion prevailed.

On motion of Mr. Alexander,

The House adjourned until 2 o'clock this afternoon.

—  
AFTERNOON SESSION.

*Lansing, Monday, March 11, 1861.*

2 o'clock P. M.

House met pursuant to adjournment, and was called to order by the Speaker.

Roll called : quorum present.

The House resumed business under the order of

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. A. Stevens moved that House bill No. 151, entitled

A bill to regulate fisheries in waters in the State of Michigan,

Be recommitted to the committee on State affairs ;

Which motion prevailed.

Mr. Lockwood moved that the committee of the whole be discharged from the farther consideration of House bill No. 119, entitled

A bill to authorize proceedings by garnishment in the circuit courts and district court of the Upper Peninsula ;

Which motion prevailed.

On motion of Mr. Lockwood,

The bill was made the special order for this evening, at 7½ o'clock.

Mr. Gregory offered the following :

*Resolved*, That the committee on printing are hereby instructed to cause the Attorney General's report for the year 1860 to be printed, and distribute five copies of the same to each of the members of this House;

Which was adopted.

Mr. A. L. Green move to take from the table House bill No. 102, entitled

A bill to provide for a county superintendent of schools, and to amend and repeal certain sections of the primary school laws, and to repeal sections 74, 85, 86, 88, 89, and 90 of chapter 78, of compiled laws;

Which motion did not prevail.

Mr. Crego moved to take from the table House bill, entitled

A bill to authorize the trustees of the Grass Lake Baptist Society of the township of Grass Lake, in the county of Jackson, to convey certain real estate to school district No. 9 of said township;

Which motion prevailed.

On motion of Mr. Crego,

The bill was placed on the order of third reading.

Mr. Read moved to take from the table House bill, entitled

A bill to amend sections 11, 12 and 13, of chapter 32, of the compiled laws, relative to laying out, altering or discontinuing public roads;

Which motion prevailed.

On motion of Mr. Read,

The bill was committed to the committee on judiciary.

Mr. Gregory moved to take from the table House bill, entitled

A bill to repeal act No. 177, entitled an act further to preserve the purity of elections, and guard against the abuses of the elective franchise by a registration of electors;

Which motion prevailed.

On motion of Mr. Gregory,

The bill was placed on the order of third reading

Mr. Tibbits moved to take from the table the resolution offered

by Mr. Pratt this forenoon, in reference to swamp lands in the older counties of the State ;

Which motion prevailed.

Mr. Tibbits moved to strike out all of the resolution after the word "lands;"

Which motion prevailed.

On motion of Mr. Howell,

The resolution was laid on the table.

Mr. Pringle moved to take from the table House bill No. 47, entitled

A bill to amend section 4, of chapter thirty-four, of the revised statutes of 1846, being section 1315, of the compiled laws, relating to usury;

Mr. Winans demanded the yeas and nays;

The demand was not seconded.

The motion to take from the table did not prevail.

Mr. Shank offered the following :

*Resolved*, That the committee on public lands be instructed to report to this House in one bill, such other of the bills relative to the improvement of roads by means of swamp land grants as they may deem meritorious;

Mr. Moore moved to lay the resolution on the table;

Which motion did not prevail.

Mr. Fowle demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays as follows:

#### YEAS.

|              |             |                 |
|--------------|-------------|-----------------|
| Mr. Atwood,  | Mr. Howell, | Mr. A. Stevens, |
| Baker,       | Jones,      | Stoddard,       |
| Beamer,      | Kelsey,     | Taylor,         |
| Cox,         | Persons,    | Tibbits,        |
| Crego,       | Peters,     | Toll,           |
| A. W. Davis, | Pratt,      | Wade,           |
| C. Davis,    | Pringle,    | Warner,         |
| Douglas,     | Ramsdell,   | T. M. Wilson,   |
| Feete,       | Rankin,     | Woodman,        |
| Hill,        | Read,       | Wright,         |
| Hood,        | Shank,      |                 |

## NAYS.

|                |             |                |
|----------------|-------------|----------------|
| Mr. Alexander, | Mr. Hadley, | Mr. Piper,     |
| Brownell,      | Henderson,  | Sessions,      |
| Chase,         | Hodges,     | Shanahan,      |
| Childs,        | Hurd,       | Smith,         |
| Choate,        | Joy,        | W. N. Stevens, |
| Chapoton,      | Kanouse,    | Stewart,       |
| Cooley,        | Leetch,     | Strong,        |
| Cutcheon,      | Lockwood,   | Wallin,        |
| Ira Davis,     | Miller,     | Wetherby,      |
| Fowle,         | Morrison,   | Wheeler,       |
| Gilbert,       | Moore,      | Winans,        |
| Gregory,       | Peterson,   | Woodward,      |
| N. K. Green,   | Phelps,     | Speaker, 39'   |

## THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Senate bill No. 22, entitled

A bill to amend an act entitled an act to incorporate railroad companies, approved February 19, 1855,

Being under consideration,

Mr. Pringle moved to recommit the bill to the committee on banks and incorporations;

Which motion prevailed.

House bill, entitled

A bill to attach certain unorganized townships to the county of Marquette,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|              |             |                |
|--------------|-------------|----------------|
| Mr. Adams,   | Mr. Hodges, | Mr. Shank,     |
| Alexander,   | Hood,       | Shanahan,      |
| Baker,       | Howell,     | Smith,         |
| Browell,     | Hurd,       | W. N. Stevens, |
| Childs,      | Jones,      | A. Stevens,    |
| Choate,      | Joy,        | Stewart,       |
| Chapoton,    | Kanouse,    | Stoddard,      |
| Cooley,      | Kelsey,     | Strong,        |
| Cox,         | Leetch,     | Taylor,        |
| Crego,       | Lockwood,   | Tibbits,       |
| Cutcheon,    | Miller,     | Toll,          |
| A. W. Davis, | Morrison,   | Wade,          |
| C. Davis,    | Moore,      | Wallin,        |
| Ira Davis,   | Peters,     | Warner,        |

Douglas,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,

Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,  
Rankin,  
Read,  
Sessions,

Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
Winans,  
Woodward,  
Wright,  
Speaker,

68

NAYS.

0

Title agreed to.

By unanimous consent, the committee on banks and incorporations submitted the following report:

The committee on banks and incorporations, to whom was re-committed Senate bill, entitled

A bill to amend an act entitled an act to provide for the incorporation of railroad companies, approved February 12, 1855,

Respectfully report that they have reconsidered an amendment proposed by them to the bill, and believe that the same ought not to be retained. They therefore return the bill, after striking out the third amendment proposed by them, ask the concurrence of the House in such re-amendment, recommend that, when so amended, the bill do pass, and ask to be discharged from the further consideration thereof.

E. PRINGLE, *Chairman*.

Report accepted and the committee discharged.

On motion of Mr. Pringle,

The amendment was concurred in, and the bill was placed on the order of third reading.

House bill No. 128, entitled

A bill to organize the county of Leelanaw,

Being under consideration,

Mr. Morrison moved to commit the bill to a select committee of two, consisting of Messrs. Hemingway and Toll;

Which motion prevailed.

House bill No. 156, entitled

A bill to provide for the purchase of a collection of the township laws of the several townships in this State,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows :

## YEAS.

|              |                  |                |
|--------------|------------------|----------------|
| Mr. Adams,   | Mr. A. L. Green, | Mr. Pratt,     |
| Beamer,      | N. K. Green,     | Pringle,       |
| Chase,       | Hadley,          | Ramsdell,      |
| Childs,      | Henderson,       | Read,          |
| Choate,      | Hill,            | Shanahan,      |
| Chapoton,    | Hodges,          | W. N. Stevens, |
| Cooley,      | Hood,            | A. Stevens,    |
| Cox,         | Hurd,            | Stewart,       |
| Crego,       | Joy,             | Stoddard,      |
| A. W. Davis, | Kanouse,         | Strong,        |
| C. Davis,    | Kelsey,          | Taylor,        |
| Ira Davis,   | Lockwood,        | Tibbits,       |
| Douglas,     | Miller,          | Wade,          |
| Foote,       | Moore,           | Wallin,        |
| Fowle,       | Persons,         | Waterbury,     |
| Gilbert,     | Peters,          | T. M. Wilson,  |
| Goodrich,    | Phelps,          | Woodman,       |
| Gregory,     | Piper,           | Wright, 54     |

## NAYS.

|             |               |               |
|-------------|---------------|---------------|
| Mr. Atwood, | Mr. Sessions, | Mr. Wetherby, |
| Brownell,   | Shank,        | Winans,       |
| Cutcheon,   | Smith,        | Woodward,     |
| Fallass,    | Warner,       | Speaker, 18   |
| Howell,     |               |               |

Title agreed to.

On motion Mr. Tibbits,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 134, entitled

A bill vesting with police powers, marshals and their deputies at State and county fairs,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|            |                  |               |
|------------|------------------|---------------|
| Mr. Adams, | Mr. A. L. Green, | Mr. Sessions, |
| Alexander, | Hadley,          | Shank,        |
| Atwood,    | Henderson,       | Shanahan,     |
| Beamer,    | Hill,            | Smith,        |

|              |           |                |
|--------------|-----------|----------------|
| Brownell,    | Hodges,   | W. N. Stevens, |
| Chase,       | Howell,   | A. Stevens,    |
| Childs,      | Hurd,     | Stewart,       |
| Choate,      | Joy,      | Stoddard,      |
| Chapoton,    | Kelsey,   | Strong,        |
| Cooley,      | Leetch,   | Taylor,        |
| Cox,         | Lockwood, | Tibbits,       |
| Crego,       | Miller,   | Wade,          |
| Cutcheon,    | Moore,    | Wallin,        |
| A. W. Davis, | Persons,  | Warner,        |
| C. Davis,    | Peters,   | Waterbury,     |
| Ira Davis,   | Peterson, | Wetherby,      |
| Douglas,     | Phelps,   | Wheeler,       |
| Fallass,     | Piper,    | T. M. Wilson,  |
| Foote,       | Pratt,    | Winans,        |
| Fowle,       | Pringle,  | Woodward,      |
| Gilbert,     | Ramsdell, | Wright,        |
| Goodrich,    | Read,     | Speaker,       |
| Gregory,     |           |                |

67

NAYS.

0

Title agreed to.

House bill No. 152, entitled

A bill to provide for the preservation of the Muskegon river improvement, and to authorize tolls for the same,

Being under consideration,

Mr. Gilbert moved that the bill be referred to a select committee of three;

Which motion prevailed.

The Speaker appointed Messrs. Howell, C. Davis and Gilbert said committee.

House bill No. 130, entitled

A bill to provide for the better security of mechanics and others erecting buildings in this State,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

|            |             |             |
|------------|-------------|-------------|
| Mr. Adams, | Mr. Hodges, | Mr. Shank,  |
| Alexander, | Howell,     | Shanahan,   |
| Beamer,    | Hurd,       | Smith,      |
| Brownell,  | Kanouse,    | A. Stevens, |
| Chase,     | Kelsey,     | Stewart,    |



|              |           |               |
|--------------|-----------|---------------|
| Childs,      | Leetch,   | Stoddard,     |
| Choate,      | Lockwood, | Strong,       |
| Coolsey,     | Miller,   | Taylor,       |
| Cox,         | Morrison, | Tibbits,      |
| Crego,       | Moore,    | Toll,         |
| C. Davis,    | Persons,  | Wade,         |
| Ira Davis,   | Peters,   | Walhin,       |
| Douglas,     | Peterson, | Warner,       |
| Foote,       | Phelps,   | Waterbury,    |
| Fowle,       | Piper,    | Wetherby,     |
| Gilbert,     | Pratt,    | Wheeler,      |
| Goodrich,    | Pringle,  | T. M. Wilson, |
| A. L. Green, | Ramsdell, | Woodman,      |
| N. K. Green, | Rankin,   | Woodward,     |
| Hadley,      | Read,     | Wright,       |
| Henderson,   | Sessions, | Speaker,      |
| Hill,        |           |               |

64

## NAYS.

Mr. Atwood, Mr. Cutcheon,

Title agreed to.

House bill No. 133, entitled

A bill to amend an act to provide for laying out a State road  
in Ionia, Kent and Barry counties,

Being under consideration,

On motion of Mr. Howell,

The bill was recommitted to the committee on roads and  
bridges.

House bill No. 131, entitled

A bill to provide for the drainage of the swamp lands in cer-  
tain townships in the counties of Newaygo and Kent,

Being under consideration,

On motion of Mr. Gregory,

The bill was laid on the table.

House bill No. 135, entitled

A bill to repeal an act entitled an act relative to the admis-  
sion of attorneys, solicitors and counsellors, approved March  
31, 1849,

Was read a third time by its title, and

On motion of Mr. Howell,

Was indefinitely postponed.

House joint resolution No. 6, entitled

Joint resolution to amend sections 1, 2 and 4, of article 15, of the Constitution,

Being under consideration,

Mr. Howell moved to lay it on the table ;

Which motion prevailed.

House bill No. 139, entitled

A bill to amend chapter 10 of the compiled laws, in relation to certain duties and compensations of county surveyors,

Being under consideration,

Mr. Alexander moved to refer the bill to Mr. Cooley as a select committee;

Which motion prevailed.

House bill No. 141, entitled

A bill to provide for referring orders in chancery,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

|              |                |                |
|--------------|----------------|----------------|
| Mr. Adams,   | Mr. Henderson, | Mr. Shank,     |
| Atwood,      | Hill,          | Smith,         |
| Baker,       | Hodges,        | W. N. Stevens, |
| Beamer,      | Howell,        | A. Stevens,    |
| Brownell,    | Hurd,          | Stewart,       |
| Chase,       | Jones,         | Stoddard,      |
| Childs,      | Joy,           | Strong,        |
| Choate,      | Kanouse,       | Taylor,        |
| Cox,         | Kelsey,        | Tibbits,       |
| Crego,       | Leetch,        | Toll,          |
| Cutcheon,    | Lockwood,      | Wade,          |
| A. W. Davis, | Morrison,      | Wallin,        |
| C. Davis,    | Moore,         | Warner,        |
| Ira Davis,   | Persons,       | Waterbury,     |
| Fallass,     | Peters,        | Wetherby,      |
| Foote,       | Peterson,      | Wheeler,       |
| Fowle,       | Phelps,        | T. M. Wilson,  |
| Gilbert,     | Piper,         | Winans,        |
| Goodrich,    | Pratt,         | Woodman,       |
| Gregory,     | Pringle,       | Woodward,      |
| A. L. Green, | Ramsdell,      | Wright,        |
| N. K. Green, | Sessions,      | Speaker,       |
| Hadley,      |                |                |

## NAYS.

0

Title agreed to.

House bill No. 155, entitled

A bill to amend chapter 17 of the compiled laws, and an act amendatory thereto, approved Feb. 4th, 1858, by adding a new section thereto, to be numbered section 159,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |              |                |
|----------------|--------------|----------------|
| Adams,         | Mr. Gregory, | Mr. Piper,     |
| Mr. Alexander, | A. L. Green, | Pratt,         |
| Atwood,        | Hadley,      | Pringle,       |
| Baker,         | Henderson,   | Shank,         |
| Beamer,        | Hemingway,   | Shanahan,      |
| Brownell,      | Hill,        | W. N. Stevens, |
| Chase,         | Hood,        | Stoddard,      |
| Childs,        | Howell,      | Strong,        |
| Choate,        | Joy,         | Tibbits,       |
| Chapoton,      | Lockwood,    | Toll,          |
| Cox,           | Miller,      | Wade,          |
| Cutcheon,      | Morrison,    | Wallin,        |
| C. Davis,      | Moore,       | Warner,        |
| Ira Davis,     | Pearsons,    | Winans,        |
| Douglas,       | Peters,      | Woodward,      |
| Fowle,         | Peterson,    | Wright,        |
| Gilbert,       | Phelps,      | Speaker,       |
| Goodrich,      |              |                |

52

## NAYS.

|              |              |                 |
|--------------|--------------|-----------------|
| Mr. Crego,   | Mr. Kanouse, | Mr. A. Stevens, |
| A. W. Davis, | Kelsey,      | Stewart,        |
| Fallass,     | Leetch,      | Taylor,         |
| Foots,       | Ramsdell,    | Waterbury,      |
| N. K. Green, | Rankin,      | Wheeler,        |
| Hodgbs,      | Sessions,    | T. M. Wilson,   |
| Hurd,        | Smith,       | Woodman,        |
| Jones,       |              |                 |

22

Title agreed to.

By unanimous consent the following report was submitted to the House:

The select committee, to whom was referred

A bill to organize the county of Leelanaw,

Have had the same under consideration, and report the same

back with amendments thereto, and when so amended, recommend that it do pass, and ask to be discharged from the further consideration of the same.

G. F. HEMINGWAY,

ALEXANDER TOLL,

*Select Committee.*

Report accepted and committee discharged.

On motion of Mr. Ramsdell,

The House concurred in the amendments made by the committee.

On motion of Mr. Hemingway,

The bill was ordered engrossed for a third reading.

The Speaker called Mr. Howell to the chair.

House bill, entitled

A bill giving to circuit courts jurisdiction by information in the nature of a quo warranto in certain cases,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Adams,  
Atwood,  
Baker,  
Beamer,  
Brownell,  
Chase,  
Childs,  
Chapoton,  
Cox,  
Crego,  
O. Davis,  
Ira Davis,  
Douglas,  
Fallas,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,

Mr. A. L. Green,  
N. K. Green,  
Hadley,  
Hemingway,  
Hill,  
Hodges,  
Howell,  
Hurd,  
Jones,  
Kamouse,  
Kelsey,  
Lockwood,  
Morrison,  
Moore,  
Peters,  
Phelps,  
Piper,  
Pratt,  
Fringie,

Mr. Ramsdell,  
Rankin,  
Read,  
Sessions,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Wheeler,  
Woodman,  
Wright,

## NAYS.

|              |           |                |
|--------------|-----------|----------------|
| Mr. Choate,  | Mr. Hood, | Mr. Waterbury, |
| A. W. Davis, | Joy,      | Winans,        |
| Henderson,   | Shank,    |                |

8

Title agreed to.

House bill No. 144, entitled

A bill to provide for the expenses of trial of persons holding, or who have held State offices, for malfeasance in office,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|              |             |               |
|--------------|-------------|---------------|
| Mr. Adams,   | Mr. Hadley, | Mr. Read,     |
| Alexander,   | Henderson,  | Sessions,     |
| Atwood,      | Hemingway,  | Shank,        |
| Baker,       | Hill,       | Shanahan,     |
| Brownell,    | Hood,       | Smith,        |
| Chase,       | Howell,     | A. Stevens,   |
| Childs,      | Hurd,       | Stewart,      |
| Choate,      | Jones,      | Stoddard,     |
| Chapoton,    | Joy,        | Taylor,       |
| Cooley,      | Kanouse,    | Tibbits,      |
| Cutcheon,    | Kelsey,     | Toll,         |
| A. W. Davis, | Lockwood,   | Wade,         |
| C. Davis,    | Morrison,   | Wallin,       |
| Ira Davis,   | Persons,    | Warner,       |
| Douglas,     | Peters,     | Waterbury,    |
| Fallass,     | Phelps,     | Wheeler,      |
| Foote,       | Piper,      | T. M. Wilson, |
| Fowle,       | Pratt,      | Winans,       |
| Gilbert,     | Pringle,    | Woodman,      |
| Goodrich,    | Ramsdell,   | Woodward,     |
| Gregory,     | Rankin,     | Wright,       |
| N. K. Green. |             |               |

64

## NAYS.

|             |          |                    |
|-------------|----------|--------------------|
| Mr. Beamer, | Mr. Cox, | Mr. W. N. Stevens, |
|-------------|----------|--------------------|

8

Title agreed to.

House bill No. 142, entitled

A bill authorizing the Auditor General to pay to Robert P. Sinclair the money received for the redemption of land sold for taxes,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

## YEAS.

|              |              |                |
|--------------|--------------|----------------|
| Mr. Adams,   | Mr. Gregory, | Mr. Pratt,     |
| Alexander,   | Hadley,      | Pringle,       |
| Atwood,      | Henderson,   | Ramsdell,      |
| Baker,       | Hemingway,   | Rankin,        |
| Beamer,      | Hill,        | Sessions,      |
| Brownell,    | Hood,        | Shank,         |
| Chase,       | Howell,      | Shanahan,      |
| Childs,      | Hurd,        | Smith,         |
| Choate,      | Jones,       | W. N. Stevens, |
| Chapoton,    | Joy,         | A. Stevens,    |
| Cooley,      | Kanouse,     | Stoddard,      |
| Cox,         | Kelsey,      | Taylor,        |
| Cutcheon,    | Lockwood,    | Tibbits,       |
| A. W. Davis, | Miller,      | Wade,          |
| C. Davis,    | Morrison,    | Wallin,        |
| Ira Davis,   | Moore,       | Warner,        |
| Douglas,     | Persons,     | T. M. Wilson,  |
| Fallass,     | Peters,      | Winans,        |
| Foote,       | Peterson,    | Woodman,       |
| Fowle,       | Phelps,      | Woodward,      |
| Gilbert,     | Piper,       | Wright,        |
| Goodrich,    |              |                |

64

## NAYS.

|              |              |   |
|--------------|--------------|---|
| Mr. Stewart, | Mr. Wheeler, | 2 |
|--------------|--------------|---|

Title agreed to.

On motion of Mr. Gilbert,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 154, entitled

A bill to regulate proceedings in certain cases of nuisance,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|            |             |                |
|------------|-------------|----------------|
| Mr. Adams, | Mr. Howell, | Mr. Pratt,     |
| Alexander, | Hurd,       | Rankin,        |
| Atwood,    | Jones,      | Shanahan,      |
| Brown,     | Joy,        | W. N. Stevens, |
| Chase,     | Kelsey,     | A. Stevens,    |
| Choate,    | Leetch,     | Taylor,        |
| Chapoton,  | Lockwood,   | Tibbits,       |
| Cox,       | Miller,     | Warner,        |
| C. Davis,  | Morrison,   | Waterbury,     |

Douglas,  
Fallass,  
Fowle,  
Goodrich,  
Gregory,  
Hadley,

Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,

Wetherby,  
T. M. Wilson,  
Winans,  
Woodman,  
Woodward,

44

## NAYS.

Mr. Baker,  
Childs,  
Cooley,  
Cutcheon,  
A. W. Davis,  
Ira Davis,  
Foote,  
Gilbert,  
Henderson,

Mr. Hemingway,  
Hill,  
Hodges,  
Hood,  
Kanouse,  
Pringle,  
Ramsdell,  
Read,  
Sessions,

Mr. Shank,  
Smith,  
Stewart,  
Toll,  
Wade,  
Wallin,  
Wheeler,  
Wright,

26

Mr. Pringle offered the following as a substitute for the title:

A bill to exempt mill owners from punishment for crime;

Which was not adopted.

The title was then agreed to.

House bill, entitled

A bill appropriating certain highway taxes for the improvement of a road in the counties of Eaton and Ionia,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Adams,  
Atwood,  
Beamer,  
Brownell,  
Chase,  
Childs,  
Choate,  
Cooley,  
Cox,  
Crego,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Fowle,  
Gilbert,

Mr. Henderson,  
Hemingway,  
Hill,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,

Mr. Ramsdell,  
Rankin,  
Read,  
Sessions,  
Shank,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Taylor,  
Toll,  
Wade,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,

Goodrich,  
Gregory,  
A. L. Green,  
Hadley,

Phelps,  
Piper,  
Pratt,  
Pringle,  
NAYS.

T. M. Wilson,  
Winans,  
Woodman,

59

Mr. Chapoton,  
Hodges,

Mr. Tibbits,  
Woodward,

Mr. Wright,

5

Title agreed to.

On motion of Mr. A. L. Green,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 145, entitled

A bill to provide for a Female College, as a branch of the University of Michigan,

Being under consideration,

Mr. Gilbert moved to recommit the bill to the committee on education, with instructions to except the city of Detroit ;

Which motion prevailed.

House bill No. 97, entitled

A bill to amend an act entitled an act to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage, being section 1, of chapter 52, of the compiled laws,

Being under consideration,

Mr. Lockwood moved to lay the bill on the table ;

Which motion did not prevail.

Mr. Alexander moved to indefinitely postpone the further consideration of the bill ;

Which motion prevailed.

House bill No. 153, entitled

A bill to organize the township of Cedar, in the county of

Muskegon;

Being under consideration,

Mr. C. Davis moved to lay the bill on the table;

Which motion prevailed.

House bill No. 143, being

A bill to legalize a certain highway in township number four (4) south, range number seven (7) west.



Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|              |           |                |
|--------------|-----------|----------------|
| Mr. Beamer,  | Mr. Hill, | Mr. Shank,     |
| Chase,       | Hodges,   | Shanahan,      |
| Childs,      | Hurd,     | Smith,         |
| Cooley,      | Joy,      | W. N. Stevens, |
| Crego,       | Leetch,   | A. Stevens,    |
| Outcheon,    | Lockwood, | Stewart,       |
| A. W. Davis, | Miller,   | Stoddard,      |
| C. Davis,    | Morrison, | Taylor,        |
| Ira Davis,   | Moore,    | Tibbits,       |
| Douglas,     | Peterson, | Toll,          |
| Foote,       | Peterson, | Wade,          |
| Fowle,       | Phelps,   | Wallin,        |
| Gilbert,     | Piper,    | Waterbury,     |
| Goodrich,    | Pratt,    | Wetherby,      |
| Gregory,     | Pringle,  | Wheeler,       |
| A. L. Green, | Ramsdell, | T. M. Wilson,  |
| Hadley,      | Rankin,   | Woodward,      |
| Henderson,   | Read,     | Wright,        |
| Hemingway,   | Sessions, | Speaker, 57    |

## NAYS.

|            |               |            |
|------------|---------------|------------|
| Mr. Adams, | Mr. Chapoton, | Mr. Jones, |
| Alexander, | Cox,          | Peters,    |
| Baker,     | Hood,         | Winans,    |
| Brownell,  | Howell,       | Woodman,   |
| Choate,    |               | 18         |

Title agreed to.

On motion of Mr. Hurd,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 164, entitled

A bill to amend section 63, of chapter 69 of the revised statutes of 1846, being section 2505 of the compiled laws, relative to trespasses on the public lands,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |                |               |
|----------------|----------------|---------------|
| Mr. Alexander, | Mr. Henderson, | Mr. Ramsdell, |
| Baker,         | Hemingway,     | Rankin,       |

|              |           |                |
|--------------|-----------|----------------|
| Beamer,      | Hill,     | Sessions,      |
| Chase,       | Hodges,   | Shanahan,      |
| Childs,      | Hood,     | Smith,         |
| Choate,      | Howell,   | W. N. Stevens, |
| Chapoton,    | Hurd,     | Stewart,       |
| Cooley,      | Jones,    | Stoddard,      |
| Crego,       | Joy,      | Taylor,        |
| Cutcheon,    | Kelsey,   | Tibbits,       |
| A. W. Davis, | Leetch,   | Toll,          |
| C. Davis,    | Lockwood, | Wade,          |
| Ira Davis,   | Miller,   | Wallin,        |
| Douglas,     | Moore,    | Warner,        |
| Fowle,       | Persons,  | Wetherby,      |
| Gilbert,     | Peters,   | Wheeler,       |
| Goodrich,    | Peterson, | Woodman,       |
| Gregory,     | Phelps,   | Woodward,      |
| A. L. Green, | Piper,    | Wright,        |
| Hadley,      | Pringle,  | Speaker,       |
|              | NAYS.     | 60             |
|              |           | 0              |

Title agreed to.

House bill No. 100, entitled

A bill to provide the Auditor General's office with recorded  
plats of cities, villages and towns,

Being under consideration,

Mr. Sessions moved that the bill be indefinitely postponed;

Which motion prevailed.

House bill No. 87, entitled

A bill to amend section 21 of chapter 21 of the compiled laws,

Being under consideration,

Mr. Cutcheon moved that the bill be indefinitely postponed;

Which motion prevailed.

House bill No. 137, entitled

A bill in relation to issuing of capias for witnesses in  
criminal proceedings,

Was read a third time and passed, a majority of all the mem-  
bers elect voting therefor, by yeas and nays, as follows:

# YEAS.

|                |                |               |
|----------------|----------------|---------------|
| Mr. Alexander, | Mr. Hemingway, | Mr. Sessions, |
| Baker,         | Hill,          | Shank,        |
| Beamer,        | Hodges,        | Shanahan,     |
| Brownell,      | Hood,          | Smith,        |

Chase,  
Childs,  
Choate,  
Cox,  
Grego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Henderson,

Howell,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,  
Read,

W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

67

## NAYS.

Mr. Chapoton,

1

Title agreed to.

House bill No. 148, entitled .

A bill to amend sections 3, 4, 6 and 12, of an act entitled an act authorizing the commissioners of highways of townships to establish water-courses and locate ditches in certain cases, approved February 15th, 1859,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,  
Atwood,  
Baker,  
Beamer,  
Brownell,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cooley,  
Cox,  
Grego,  
A. W. Davis,  
C. Davis,

Mr. Gregory,  
A. L. Green,  
Hadley,  
Hill,  
Hodges,  
Hood,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Miller,  
Moore,

Mr. Rankin,  
Sessions,  
Shank,  
Shanahan,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Wade,  
Wallin,  
Warner,

|            |           |            |
|------------|-----------|------------|
| Ira Davis, | Persons,  | Waterbury, |
| Douglas,   | Peters,   | Wetherby,  |
| Fallass,   | Peterson, | Winans,    |
| Foote,     | Phelps,   | Woodman,   |
| Fowle,     | Piper,    | Woodward,  |
| Gilbert,   | Pratt,    | Wright,    |
| Goodrich,  | Ramsdell, |            |

62

## NAYS.

|               |                |               |
|---------------|----------------|---------------|
| Mr. Cutcheon, | Mr. Hemingway, | Mr. Lockwood, |
| Henderson,    | Howell,        | Pringle,      |

6

Title agreed to.

On motion of Mr. Rankin,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 161, entitled

A bill to amend sections 14 and 16, and to repeal section 15, of chapter 134 of the compiled laws, relating to the action of ejectment,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |           |                |
|----------------|-----------|----------------|
| Mr. Alexander, | Mr. Hill, | Mr. Read,      |
| Atwood,        | Hodges,   | Sessions,      |
| Baker,         | Hood,     | Shank,         |
| Beamer,        | Howell,   | Shanahan,      |
| Brownell,      | Hurd,     | Smith,         |
| Chase,         | Joy,      | W. N. Stevens, |
| Choate,        | Kanouse,  | A. Stevens,    |
| Crego,         | Kelsey,   | Stoddard,      |
| Cutcheon,      | Leetch,   | Tibbits,       |
| A. W. Davis,   | Lockwood, | Wade,          |
| C. Davis,      | Morrison, | Wallin,        |
| Ira Davis,     | Persons,  | Waterbury,     |
| Douglas,       | Peters,   | Wetherby,      |
| Fallass,       | Peterson, | Wheeler,       |
| Foote,         | Phelps,   | Winans,        |
| Fowle,         | Piper,    | Woodman,       |
| Gregory,       | Pratt,    | Woodward,      |
| A. L. Green,   | Pringle,  | Wright,        |
| Hadley,        | Ramsdell, | Speaker,       |
| Hemingway,     | Rankin,   |                |

59

## NAYS.

0

Title agreed to.

House bill No. 158, entitled

A bill to amend sections 190 and 211, of chapter 117, of the compiled laws, in relation to appeals from justices' courts,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

**YEAS.**

|                |                |           |
|----------------|----------------|-----------|
| Mr. Alexander, | Mr. Henderson, | Piper,    |
| Brownell,      | Hill,          | Pratt,    |
| Childe,        | Hodges,        | Rankin,   |
| Choate,        | Hood,          | Shank,    |
| Chapoton,      | Howell,        | Shanahan, |
| Crego,         | Hurd,          | Smith,    |
| Cutcheon,      | Jones,         | Stewart,  |
| A. W. Davis,   | Joy,           | Strong,   |
| C. Davis,      | Kanouse,       | Taylor,   |
| Ira Davis,     | Kelsey,        | Tibbits,  |
| Douglas,       | Leetch,        | Wade,     |
| Fallass,       | Lockwood,      | Wetherby, |
| Foote,         | Morrison,      | Wheeler,  |
| Fowle,         | Persona,       | Winans,   |
| Gilbert,       | Peters,        | Woodward, |
| Goodrich,      | Peterson,      | Wright,   |
| Gregory,       | Phelps,        | 50        |

**NAYS.**

|             |                    |           |
|-------------|--------------------|-----------|
| Mr. Atwood, | Mr. W. N. Stevens, | Mr. Toll, |
| Pringle,    | Stoddard,          | Wallin,   |
|             |                    | 6         |

Title agreed to.

House bill No. 128, entitled

A bill to organize the county of Leelanaw,

Being under consideration,

Mr. Leetch moved to recommit the bill to the special committee that reported the same ;

Which motion prevailed.

House bill No. 170, entitled

A bill to provide for letting, to contract, the State printing and binding,

Being under consideration,

Mr. Ramsdell moved that the bill be committed to the committee on ways and means.

Which motion prevailed.

House bill, entitled

A bill to amend section 818, of the compiled laws, to extend the time for completing tax rolls in the several townships,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

|                |           |                |
|----------------|-----------|----------------|
| Mr. Alexander, | Mr. Hill, | Mr. Shanahan,  |
| Beamer,        | Hodges,   | Smith,         |
| Brownell,      | Hood,     | W. N. Stevens, |
| Chase,         | Howell,   | A. Stevens,    |
| Childs,        | Hurd,     | Stewart,       |
| Chapoton,      | Joy,      | Stoddard,      |
| Cooley,        | Kanouse,  | Strong,        |
| Crego,         | Kelsey,   | Taylor,        |
| Cutcheon,      | Leetch,   | Fibbits,       |
| A. W. Davis,   | Lockwood, | Toll,          |
| C. Davis,      | Morrison, | Wade,          |
| Ira Davis,     | Moore,    | Wallin,        |
| Douglas,       | Persons,  | Warner,        |
| Fallass,       | Peterson, | Wetherby,      |
| Foote,         | Rhelps,   | Wheeler,       |
| Fowle,         | Piper,    | T. M. Wilson,  |
| Gilbert,       | Pratt,    | Winans,        |
| Goodrich,      | Pringle,  | Woodman,       |
| Gregory,       | Ramsdell, | Woodward,      |
| A. L. Green,   | Read,     | Wright,        |
| Hadley,        | Sessions, | Speaker,       |
| Henderson,     |           |                |

64

NAYS.

Mr. Choate,

1

Title agreed to.

House bill No. 162, entitled

A bill to amend section 23, of chapter 106, of the revised statutes of 1846, being section 4461 of the compiled laws, relative to levy and sale of goods on execution pledged by way of mortgage,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

|            |                  |               |
|------------|------------------|---------------|
| Mr. Adams, | Mr. A. L. Green, | Mr. Sessions, |
| Atwood,    | Hadley,          | Shanahan,     |

|              |           |                |
|--------------|-----------|----------------|
| Baker,       | Hill,     | Smith,         |
| Beamer,      | Hood,     | W. N. Stevens, |
| Brownell,    | Hurd,     | A. Stevens,    |
| Chase,       | Joy,      | Stewart,       |
| Childs,      | Kanouse,  | Stoddard,      |
| Choate,      | Kelsey,   | Strong,        |
| Cooley,      | Leetch,   | Taylor,        |
| Cox,         | Lockwood, | Tibbits,       |
| Crego,       | Miller,   | Toll,          |
| Cutcheon,    | Moore,    | Wade,          |
| A. W. Davis, | Peters,   | Wallin,        |
| C. Davis,    | Phelps,   | Warner,        |
| Ira Davis,   | Piper,    | Waterbury,     |
| Fallass,     | Pratt,    | Wheeler,       |
| Foote,       | Pringle,  | T. M. Wilson,  |
| Fowle,       | Ramsdell, | Woodward,      |
| Gilbert,     | Rankin,   | Wright,        |
| Goodrich,    | Read,     | Speaker,       |
| Gregory,     |           |                |

61

## NAYS.

Mr. Alexander, Mr. Howell, Mr. Morrison, 3

Title agreed to.

House bill, entitled

A bill to prevent fishing with seines, nets, and spears, in the lakes known as Devil's lake, and Round lake, in Lenawee county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|                |           |                |
|----------------|-----------|----------------|
| Mr. Alexander, | Mr. Hill, | Mr. Ramsdell,  |
| Baker,         | Hodges,   | Rankin,        |
| Beamer,        | Hood,     | Sessions,      |
| Brownell,      | Howell,   | Shank,         |
| Chase,         | Joy,      | Shanahan,      |
| Childs,        | Kanouse,  | Smith,         |
| Choate,        | Kelsey,   | W. N. Stevens, |
| Chapoton,      | Leetch,   | A. Stevens,    |
| Cox,           | Lockwood, | Strong,        |
| Cutcheon,      | Miller,   | Taylor,        |
| C. Davis,      | Morrison, | Tibbits,       |
| Ira Davis,     | Moore,    | Toll,          |
| Douglas,       | Peters,   | Waterbury,     |
| Fallass,       | Phelps,   | Wetherby,      |

Fowle,  
Goodrich,  
A. L. Green,  
Henderson,

Piper,  
Pratt,  
Pringle,

Wheeler,  
T. M. Wilson,  
Speaker,

52

## NAYS.

Mr. Adams,  
Atwood,  
Cooley,  
Crego,  
A. W. Davis,  
Foote,  
Gilbert,

Mr. Gregory,  
Hadley,  
Hurd,  
Persons,  
Read,  
Stewart,  
Stoddard,

Mr. Wade,  
Wallin,  
Warner,  
Winans,  
Woodward,  
Wright,

20

Title agreed to.

House bill, entitled

A bill to amend section 1, session laws of 1859, entitled an act to prevent fishing with seines and every kind of nets in certain counties in the State of Michigan,

Being under consideration,

Mr. Pringle moved that the bill be committed to the committee on agriculture and manufactures;

Which motion prevailed.

House bill No. 167, entitled

A bill to confer certain powers on the board of supervisors of the counties of Marquette and Delta,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,  
Baker,  
Beamer,  
Brownell,  
Chase,  
Choate,  
Chapoton,  
Cooley,  
Cox,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallas,  
Foote,

Mr. Fowle,  
Goodrich,  
A. L. Green,  
Hadley,  
Hill,  
Hodges,  
Hurd,  
Joy,  
Kelsey,  
Leetch,  
Lockwood,  
Moore,  
Peterson,  
Phelps,  
Pratt,

Mr. Ramsdell,  
Rankin,  
Shank,  
Shanahan,  
Smith,  
A. Stevens,  
Strong,  
Taylor,  
Tibbitts,  
Toll,  
Wallin,  
Waterbury,  
Wetherby,  
Woodman,  
Wright,

45



## NAYS.

|            |                |              |
|------------|----------------|--------------|
| Mr. Adams, | Mr. Miller,    | Mr. Stewart, |
| Gilbert,   | Morrison,      | Stoddard,    |
| Gregory,   | Piper,         | Wade,        |
| Henderson, | Read,          | Wheeler,     |
| Howell,    | Sessions,      | Winans,      |
| Kanouse,   | W. N. Stevens, | Woodward,    |

18

Mr. Alexander moved that the vote just taken be reconsidered ;

Which motion prevailed.

The bill was then committed to the committee on judiciary.

## MESSAGE FROM THE SENATE.

By unanimous consent, the Speaker *pro tem.* announced the following:

SENATE CHAMBER,  
Lansing, March 11, 1861.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit the following joint resolution:

Joint resolution to provide for amendments of article 15, sections 1, 2 and 4; article 13, section 6; article 19, section 6; and article 20, section 2, of the Constitution of the State of Michigan,

Which has passed the Senate by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The joint resolution was read a first and second time, by its title, and referred to the committee on the judiciary

On motion of Mr. Gregory,

The House adjourned till 7½ o'clock this evening.

## EVENING SESSION.

7½ o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

By unanimous consent, the Speaker announced the following:

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
Lansing, March 10, 1891. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bills:

A bill to provide for the drainage of swamps, marshes and other low lands;

A bill to organize the township of Hancock and Bendry, in Houghton county;

To each of which bills the Senate has made sundry amendments, which are thereunto attached,

In the passage of which, as amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Childs moved that the House concur in the amendments made by the Senate to the first named bill;

Which motion prevailed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |             |                |
|----------------|-------------|----------------|
| Mr. Alexander, | Mr. Hadley, | Mr. Shanahan,  |
| Baker,         | Henderson,  | Smith,         |
| Beamer,        | Hodges,     | W. N. Stevens, |
| Brownell,      | Hood,       | A. Stevens,    |
| Childs,        | Howell,     | Stewart,       |
| Choate,        | Hurd,       | Stoddard,      |
| Chapoton,      | Joy,        | Strong,        |
| Cookey,        | Kanouse,    | Taylor,        |
| Cox,           | Kelsey,     | Tibbits,       |

|              |           |               |
|--------------|-----------|---------------|
| Orego,       | Lockwood, | Toll,         |
| Cutcheon,    | Miller,   | Wade,         |
| A. W. Davis, | Morrison, | Wallin,       |
| O. Davis,    | Peters,   | Warner,       |
| Ira Davis,   | Peterson, | Waterbury,    |
| Fallass,     | Phelps,   | Wetherby,     |
| Foote,       | Piper,    | Wheeler,      |
| Fowle,       | Pratt,    | T. M. Wilson, |
| Gilbert,     | Pringle,  | J. B. Wilson, |
| Goodrich,    | Rankin,   | Winans,       |
| Gregory,     | Read,     | Woodward,     |
| A. L. Green, | Sessions, | Wright,       |
| N. K. Green, | Shank,    | Speaker,      |

## NAYS.

Mr. Atwood, Mr. Jones,

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The amendments to the second named bill were not concurred in, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. A. W. Davis, Mr. Peterson,

## NAYS.

|            |                |                |
|------------|----------------|----------------|
| Mr. Adams, | Mr. Henderson, | Mr. Read,      |
| Alexander, | Hill,          | Sessions,      |
| Atwood,    | Hodges,        | Shanahan,      |
| Baker,     | Hood,          | Smith,         |
| Brownell,  | Howell,        | W. N. Stevens, |
| Chase,     | Hurd,          | A. Stevens,    |
| Choate,    | Joy,           | Stewart,       |
| Cooley,    | Kanouse,       | Stoddard,      |
| Cox,       | Kelsey,        | Strong,        |
| Orego,     | Leitch,        | Taylor,        |
| Cutcheon,  | Lockwood,      | Tibbits,       |
| C. Davis,  | Miller,        | Wade,          |
| Ira Davis, | Moore,         | Wallin,        |
| Douglas,   | Morrison,      | Waterbury,     |
| Fallass,   | Persons,       | Wetherby,      |
| Foote,     | Peters,        | Wheeler,       |
| Fowle,     | Piper,         | Winans,        |
| Gilbert,   | Pratt,         | Woodman,       |
| Gregory,   | Pringle,       | Woodward,      |
| Hadley,    | Ramsdell,      | Wright,        |

Also the following:

SENATE CHAMBER,  
Lansing, March 11, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bill:

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, &c.,

Accompanied by a substitute,

In the passage of which substitute the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Pringle moved that the substitute be referred to the committee on ways and means.

Mr. Lockwood moved that the special order for 7½ o'clock, be postponed until half past eight o'clock;

Which motion prevailed.

The question recurring upon the motion to refer the substitute to the committee on ways and means,

The motion was withdrawn.

Mr. Pringle moved that the House concur in the adoption of the substitute;

Mr. Morrison demanded the previous question.

The demand was seconded and the main question ordered.

The substitute was not concurred in, a majority of all the members elect not voting therefor, by yeas and nays as follows;

YEAS.

|             |             |               |
|-------------|-------------|---------------|
| Mr. Atwood, | Mr. Kelsey, | Mr. Stoddard, |
| Hadley,     | Peterson,   | Taylor,       |
| Hill,       | Pratt,      | Toll,         |
| Hood,       | Shanahan,   | Wallin,       |
| Jones,      | Smith,      | Waterbury,    |
| Kanouse,    | A. Stevens, | Wright,       |

## NAYS.

|              |              |                |
|--------------|--------------|----------------|
| Mr. Adams,   | Mr. Fowle,   | Mr. Ramsdell,  |
| Alexander,   | Gilbert,     | Rankin,        |
| Baker,       | Goodrich,    | Read,          |
| Beamer,      | Gregory,     | Sessions,      |
| Brownell,    | A. L. Green, | Shank          |
| Chase,       | N. K. Green, | W. N. Stevens, |
| Childs,      | Henderson,   | Stewart,       |
| Choate,      | Hodges,      | Strong,        |
| Chapoton,    | Howell,      | Tibbits,       |
| Cooley,      | Hurd,        | Wade,          |
| Cox,         | Joy,         | Warner,        |
| Crego,       | Lockwood,    | Wetherby,      |
| Cutcheon,    | Miller,      | Wheeler,       |
| A. W. Davis, | Morrison,    | T. M. Wilson,  |
| C. Davis,    | Persons,     | J. B. Wilson,  |
| Ira Davis,   | Peters,      | Winans,        |
| Douglas,     | Phelps,      | Woodman,       |
| Fallass,     | Piper,       | Woodward,      |
| Foote,       | Pringle,     |                |

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Mr. Ramsdell gave notice that, on to-morrow, he would move to reconsider the vote just taken.

Mr. Howell moved that the vote whereby the House refused to concur be reconsidered;

Which motion did not prevail.

By unanimous consent, the committee on agriculture and manufactures made the following report:

The committee on agriculture and manufactures, to whom was committed House bill, entitled

A bill to amend section 1, of session laws of 1859, entitled, an act to prevent fishing with seines and every kind of nets in certain counties in the State of Michigan,

Would respectfully report that they have had the same under consideration, and made certain amendments thereto, and recommend that when so amended, it do pass, and ask to be discharged from the further consideration thereof.

JAMES WEBSTER CHILDS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Howell,

The House concurred in the amendments made by the committee.

Mr. Childs moved that the bill be placed on its final passage;

Mr. Pringle moved that the bill be indefinitely postponed;

Which motion did not prevail.

Mr. Lockwood moved to re-commit the bill to a select committee consisting of one from each county named in the bill;

Which motion prevailed.

The Speaker announced the select committee as follows :  
Messrs. Wade, Fowle, Woodman, Atwood, Cooley, Wetherby, Henderson, Read, Beamer, Morrison, Jones, A. L. Green and Moore.

By unanimous consent, the committee on State affairs made the following report :

The committee on State affairs, to whom was referred

A bill to regulate fisheries in the waters of the State of Michigan,

Have had the same under consideration, and herewith report the same back to the House with some amendments in which they ask the concurrence of the House, and ask to be discharged from its further consideration.

A. H. MORRISON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. A. L. Green,

The House concurred in the amendments made by the committee.

Mr. Morrison moved that the bill be placed on its final passage;

Which motion prevailed.

The bill was then read a third time, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adams,  
Beamer,  
Brownell,  
Bunce,  
Chase,

Mr. Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Henderson,

Mr. Piper,  
Pratt,  
Pringle,  
Rankin,  
Read,

|              |            |                |
|--------------|------------|----------------|
| Childs,      | Hemingway, | Sessions,      |
| Choate,      | Hill,      | Shank,         |
| Cooley,      | Hodges,    | Shanahan       |
| Cox,         | Hood,      | Smith,         |
| Crego,       | Hurd,      | W. N. Stevens, |
| Cutcheon,    | Jones,     | A. Stevens,    |
| A. W. Davis, | Kanouse,   | Taylor,        |
| C. Davis,    | Kelsey,    | Tibbits,       |
| Ira Davis,   | Lockwood,  | Wade,          |
| Douglas,     | Miller,    | Warner,        |
| Fallase,     | Morrison,  | Wheeler,       |
| Foots,       | Persons,   | T. M. Wilson,  |
| Fowle,       | Peters,    | J. B. Wilson,  |
| Gilbert,     | Peterson,  | Winans,        |
| Goodrich,    | Phelps,    | Speaker, 60    |

## NAYS.

|            |              |               |
|------------|--------------|---------------|
| Mr. Baker, | Mr. Stewart, | Mr. Wetherby, |
| Chapoton,  | Stoddard,    | Woodman,      |
| Joy,       | Wallin,      | Woodward,     |
| Ramsdell,  | Waterbury,   | Wright, 12    |

Title agreed to.

Mr. A. L. Green, by unanimous consent, offered the following:

*Resolved*, That the Clerk be authorized to employ such assistance as he may deem necessary, for the remainder of the session;

Which was adopted.

## SPECIAL ORDER OF THE DAY.

The hour having arrived, the House took up the special order, being House bill No. 112, entitled

A bill to authorize proceedings by garnishment in the circuit courts and the district court of the Upper Peninsula.

The House proceeded to examine the same by sections, and having made several amendments thereto,

Mr. Lockwood moved that the bill be ordered engrossed for a third reading;

Which motion prevailed.

On motion of Mr. Woodward,

The House adjourned till to-morrow morning at 9 o'clock.

*Lansing, Tuesday, March 12, 1861.*

House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Gillet.

Roll called : quorum present.

PETITIONS PRESENTED.

By Mr. Taylor: remonstrance of Joseph Whittemore, H. C. Driggs and others, against the repeal of the salt bounty law;

Also, petition of H. D. Horton, W. J. Barton and 40 others, for a continuance of the salt bounty law;

Referred to the select committee on salt interest.

By Mr. Pringle: remonstrance of Wm. Binder and 54 others, citizens of Saginaw county, for the repeal of the salt bounty law;

Referred to the select committee on salt interest.

By Mr. Atwood: petition of H. L. Miller and others, of Saginaw, for the continuation of the bounty on salt;

Referred to the select committee on salt interest.

By Mr. Pratt: remonstrance of D. H. Jerome and others, citizens of Michigan, against the repeal of the salt bounty law;

Referred to the select committee on salt interest.

By Mr. Persons: petition of P. C. Andre, C. Garratt and others, citizens of Saginaw, against the repeal of the salt bounty law;

Referred to the select committee on salt interest.

By Mr. Smith: remonstrance of M. Jeffers and others, citizens of Michigan, against the repeal of the salt bounty law;

Referred to the select committee on salt interest.

By John Dowe: remonstrance of E. W. Higgins, C. K. Robinson and 50 others, citizens of Michigan, against the repeal of the salt bounty law;

Referred to the select committee on salt interest.

By Richard Roe: remonstrance of D. L. O. Eaton and 5 others, of Saginaw, against the repeal of the salt bounty law;

Referred to the select committee on salt interest.



By Mr. C. Davis: petition of G. Bullock and others, citizens of Saginaw, for the continuation of the salt bounty law;

Referred to the select committee on salt interest.

By Mr. A. Stevens: remonstrance of George W. Waldron and others, citizens of Saginaw county, against the repeal of the salt bounty law;

Referred to the select committee on salt interest.

By Mr. Kelsey: remonstrance of John P. Derby and others, citizens of Michigan, against the repeal of the salt bounty law;

Referred to the select committee on salt interest.

By Mr. T. M. Wilson: remonstrance of S. B. Bliss and others, citizens of Michigan, against the repeal of the salt bounty law;

On motion of Mr. Fallas,

The remonstrance was referred to the select committee on salt interest, and the body of the same ordered printed in the journal.

The following is the remonstrance:

*To the Honorable Senate and House of Representatives of the State of Michigan:*

Your petitioners, residents of the State of Michigan, would represent that they are opposed to the unconditional repeal of the present act "to encourage the manufacture of salt in the State of Michigan," that the efforts which have been put forth to develop the resources of the State in this behalf, have been induced by said act, and in our opinion such repeal would be a breach of good faith on the part of the State.

We would further represent that the salt manufacture is yet in its infancy; that no market is yet established for it, nor its quality tested; that the current of transportation is against the manufactures of this State, and that without encouragement from the State, it will not be possible for the Michigan salt to compete with that made in other States. These considerations lead us to believe that the true policy of the State is to continue its encouragement until those who have invested their money in this enterprise shall reap some substantial benefit from their investment. Dated March 8, 1861.

## REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred Senate joint resolution, entitled

A joint resolution to provide for amendments of article 15, sections 1, 2 and 4 ; article 13, section 6 ; article 19, section 4, and article 20, section 2, of the Constitution of the State of Michigan,

Respectfully report that they have considered the same, and herewith report the same back to the House with the recommendation that said resolutions do pass, and ask to be discharged from the further consideration thereof.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Cutcheon,

The joint resolution was placed on the order of third reading.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill No. 139, entitled

A bill for the assessment of damages caused by the flowing of lands by the erection of mill dams,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Wallin,

The bill was laid on the table.

By the judiciary committee :

The committee on the judiciary, to whom was referred Senate bill No. 107, being

A bill to authorize the district judge of the Upper Peninsula to convey certain lands held in trust, under the act of Congress of May 23, A. D. 1844,

Respectfully report that they have had the same under con-

sideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Sessions,

The bill was placed on the order of third reading.

By the judiciary committee:

The committee on the judiciary, to whom was committed House bill entitled

A bill to confer certain powers upon the boards of supervisors of the counties of Marquette and Delta,

Respectfully report that they have had the said bill under consideration, and return the same to the House with the accompanying amendments, recommend that the amendments be concurred in, and that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Warner,

The bill was placed on its final passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|            |                  |             |
|------------|------------------|-------------|
| Mr. Adams, | Mr. A. L. Green, | Mr. Rankin, |
| Alexander, | N. K. Green,     | Read,       |
| Baker,     | Hadley,          | Sessions,   |
| Beamer,    | Haire,           | Shank,      |
| Brownell,  | Hemingway,       | Shannahan,  |
| Bunce,     | Hill,            | Smith,      |
| Chase,     | Hodges,          | A. Stevens, |
| Childs,    | Hood,            | Stewart,    |
| Choate,    | Howell,          | Stoddard,   |
| Chapoton,  | Kanouse,         | Strong,     |
| Cooley,    | Kelsay,          | Tibbits,    |
| Cox,       | Leetch,          | Toll,       |
| Crego,     | Lockwood,        | Wade,       |
| Cutcheon,  | Miller,          | Warner,     |

A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Foote,  
Fowle,  
Goodrich,  
Gregory,

Merrisen,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Ramsdell,

Wetherby,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

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## NAYS.

Mr. Atwood,  
Gilbert,  
Henderson,

Mr. Hurd,  
Jones,

Mr. W. N. Stevens,  
Waterbury,

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Mr. Lockwood, by unanimous consent, offered the following:

*Resolved*, That it shall not be encumbent on the Clerk for the remainder of the session, to call the roll more than once on any question, but at the end of the call, any member may claim his right to vote, or may be called upon to vote, or excused from voting;

Which was adopted.

By the committee on education:

The committee on education, to whom was referred House bill, entitled

A bill to provide for a Female College as a branch of the University of Michigan,

With instructions to so amend as to except the city of Detroit, report that the instructions have been complied with, and they hereby report back the bill so amended, and ask the concurrence of the House in the amendment, and when so amended, recommend that the bill do pass, and ask to be discharged from the further consideration of the same.

B. L. HILL, *Chairman*.

Report accepted and committee discharged.

Mr. Waterbury moved that the House concur in the amendment made by the committee;

Which motion did not prevail.

On motion of Mr. Hill,

The bill was placed on its final passage.

Mr. Shank moved to recommit the bill to the committee on education, with instructions to strike out the words "to be a branch of the University of Michigan."

Mr. Wallin demanded the previous question.

The demand was seconded, and the main question ordered.

The motion to recommit did not prevail.

The motion to place the bill on its passage prevailed.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |           |               |
|----------------|-----------|---------------|
| Mr. Alexander, | Mr. Hood, | Mr. Smith,    |
| Baker,         | Howell,   | A. Stevens,   |
| Bunce,         | Hurd,     | Stoddard,     |
| Chase,         | Kanouse,  | Strong,       |
| Cooley,        | Kelsey,   | Taylor,       |
| Cox,           | Miller,   | Tibbits,      |
| Crego,         | Morrison, | Wade,         |
| A. W. Davis,   | Moore,    | Wallin,       |
| C. Davis,      | Persons,  | Warner,       |
| Ira Davis,     | Peters,   | Waterbury,    |
| Fallass,       | Peterson, | Wetherby,     |
| Foote,         | Phelps,   | Wheeler,      |
| Fowle,         | Piper,    | T. M. Wilson, |
| Goodrich,      | Pratt,    | J. B. Wilson, |
| Hadley,        | Pringle,  | Winans,       |
| Haire,         | Rankin,   | Woodward,     |
| Henderson,     | Read,     | Wright,       |
| Hill,          | Shanahan, |               |

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## NAYS.

|             |              |                |
|-------------|--------------|----------------|
| Mr. Atwood, | Mr. Gilbert, | Mr. Sessions,  |
| Beamer,     | Gregory,     | Shank,         |
| Brownell,   | A. L. Green, | W. N. Stevens, |
| Childs,     | N. K. Green, | Stewart,       |
| Cheate,     | Hemingway,   | Toll,          |
| Chapeton,   | Joy,         | Woodman,       |
| Cutcheon,   | Lockwood,    | Speaker,       |

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Title agreed to.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred Senate bill No. 123, being

A bill for the collection of damages sustained by defective bridges on public highways,

Have had the same under consideration, and although objections may very properly be made to some of its practical workings, yet your committee would recommend the passage of the bill, as we have now no law on our statute books for the protection of the traveling public for damages sustained by defective bridges, and your committee would ask to be discharged from the further consideration of the subject.

N. K. GREEN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. N. K. Green,

The bill was laid on the table.

By the committee on roads and bridges :

The committee on roads and bridges, to whom was re-committed

A bill to amend an act entitled an act to provide for laying out a State road in Ionia, Kent and Barry counties, approved February 12th, 1859,

Have had the same under consideration, and instructed their chairman to substitute Senate bill No. 134, for the same, and when so substituted, recommend that it do pass, and ask to be discharged from the further consideration of the subject.

N. K. GREEN, *Chairman*.

The report was accepted, the committee discharged.

On motion of Mr. Fallas,

The bill was laid on the table.

By the committee on engrossment and enrollment :

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following entitled bills:

A bill to amend chapter 150, of the revised statutes of 1846, being chapter 175, of compiled laws, authorizing the probate judge of Wayne county, to appoint a register;

Also,

A bill to authorize the Jackson County Agricultural Society to borrow money and mortgage certain real estate to secure the payment of the same;

Also,

A bill to amend certain sections of an act to revise the charter of the city of Ypsilanti, approved February 15, 1859;

Also,

A bill authorizing the Auditor General to issue second tax deeds in certain cases;

Also,

A bill to organize the county of Delta and define the boundaries of the same;

Also,

A bill to amend an act to authorize the conveyance of a certain lot in the village of Lansing, to the trustees of the society of the Church of the United Brethren in Christ, in said village, approved Feb. 4, 1859;

Also,

A bill to provide for the manner of equalizing the assessment roll of the board of supervisors of the county of Wayne;

Also,

A bill making the action of trespass transitory, in certain cases;

Also,

A bill to change the boundaries of the county of Houghton, and establish the county seat thereof;

Also,

A bill to authorize the Marshall and Ionia Plank Road Company to discontinue a portion of their road, and for other purposes;

Also,

Joint resolution for the relief of the Detroit Locomotive works,

A. L. GREEN, *Chairman*.

Report accepted.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was recommit-  
ted House bill, entitled

A bill to amend section 1 of an act entitled an act to aid in  
the improvement of a certain State road,

Respectfully report that they have had the same under consideration, and have amended the same by substituting a new section in place of section 1, and as amended recommend that bill do pass, and ask to be discharged from the further consideration of the same.

N. K. GREEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stoddard,

The House concurred in the amendments made by the committee.

On motion of Mr. Bunce,

The bill was placed on the order of third reading.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill, entitled

A bill making appropriations for the support of the State Agricultural College, the State Board of Agriculture, and the State Agricultural Society,

Have considered the same, and have instructed me to report:

That the bill appropriates \$8,000 for the use and support of the College for 1861, and \$12,000 for the year 1862; also, the further sum of \$1,000 in each of said years, for salary of the Secretary of the Board of Agriculture, and \$1,200 per annum for expenses connected with said office; also, the further sum of \$1,000 for each of said years for the State Agricultural Society—in all, \$26,400.

There is an unexpended balance of an appropriation made by the last Legislature, for the College, of \$3,500. The College is to be re-organized upon a new basis, and the experiment tried, perhaps, under better auspices than heretofore; and, at all events, the experiment which will settle its destiny, and determine whether it shall be a success, or a total failure, and be abandoned. Having determined upon a further trial, and, as is hoped, with some probability of success—at all events upon a decisive experiment—though with some difficulty, the committee have concluded to recommend appropriations necessary for the



current expenses of the institution, under its new management, to be a charge upon the general fund. Beyond what is already appropriated, it is estimated that this will require, for the present year, \$6,500; and for the next year, \$10,000. It is also estimated that these amounts will pay the salary and expenses of the office of the Secretary of the State Board of Agriculture, and enable that Board to make the necessary improvements upon the farm.

The estimate made by the finance committee of the Senate was something less than this, but at that time there was no reorganization of the college contemplated, and their report did not take some items consequent thereupon into consideration. Their estimate of the expenses of the College for two years was, besides the unexpended appropriation, \$12,000. The difference between that sum and \$16,500 now recommended, is not large considering the new character which it is contemplated the college will assume and some improvements require.

The committee have concluded to recommend that no appropriation be made for the State agricultural society for the coming two years.

They recommend, therefore, that the appropriations made by the Senate bill referred to them be reduced from \$26,400 to \$16,400, and that it be \$6,400 for the present year, and the sum of \$10,000 for 1862 for the use and support of the State agricultural college, and to defray the salaries and expenses of the secretary of the State board of agriculture and his office, to be expended under the direction and control of that board, and have accordingly prepared an amendment, entitled

A bill making appropriations for the support of the State agricultural college and the State board of agriculture,

To be used as a substitute for the bill referred to them. When the said amendments shall have been concurred in or adopted, the committee recommend that the bill pass.

JAMES F. JOY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The House concurred in the amendments made by the committee.

On motion of Mr. Alexander,

The bill was placed on its final passage.

Mr. Childs moved to recommit the bill to the committee on ways and means, with instructions to make an appropriation of \$950 a year for the next two years, to the State agricultural society.

Mr. Childs demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays as follows:

## YEAS.

Mr. Childs,  
Orego,  
Henderson,  
Hill,  
Hood,  
Hurd,

Mr. Kelsey,  
Leetch,  
Peterson,  
Rankin,  
Taylor,

Mr. Tibbits,  
Wallin,  
Waterbury,  
J. B. Wilson,  
Woodward,

16

## NAYS.

Mr. Alexander,  
Atwood,  
Brownell,  
Bunce,  
Chase,  
Choate,  
Chapoton,  
Cooley,  
Cox,  
C. Davis,  
Ira Davis,  
Douglas,  
Foote,  
Fowle,  
Gilbert,

Mr. Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Haire,  
Howell,  
Joy,  
Lockwood,  
Moore,  
Persons,  
Phelps,  
Piper,  
Pratt,  
Pringle,

Mr. Ramsdell,  
Sessions,  
Shanahan,  
Smith,  
W. N. Stevens,  
Stewart,  
Strong,  
Toll,  
Wade,  
Wetherby,  
T. M. Wilson,  
Winans,  
Woodman,  
Speaker,

44

The bill was then read a third time, by its title, and passed, by a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Adams,  
Alexander,  
Baker,

Mr. Henderson,  
Hill,  
Hodges,

Mr. Sessions,  
Shank,  
Shanahan,

|              |           |                |
|--------------|-----------|----------------|
| Beamer,      | Howell,   | Smith,         |
| Bunce,       | Hurd,     | W. N. Stevens, |
| Chase,       | Joy,      | Stewart,       |
| Childs,      | Kanouse,  | Stoddard,      |
| A. W. Davis, | Kelsey,   | Tibbits,       |
| O. Davis,    | Leetch,   | Wade,          |
| Ira Davis,   | Moore,    | Wallin,        |
| Fallass,     | Persons,  | Waterbury,     |
| Foots,       | Peters,   | Wetherby,      |
| Gilbert,     | Phelps,   | T. M. Wilson,  |
| Goodrich,    | Piper,    | J. B. Wilson,  |
| A. L. Green, | Pratt,    | Woodman,       |
| N. K. Green, | Pringle,  | Woodward,      |
| Hadley,      | Ramsdell, | Wright,        |
| Haire,       | Rankin,   | Speaker, 54    |

## NAYS.

|             |            |             |
|-------------|------------|-------------|
| Mr. Atwood, | Mr. Grego, | Mr. Strong, |
| Brownell,   | Douglas,   | Taylor,     |
| Choate,     | Fowle,     | Toll,       |
| Chapoton,   | Gregory,   | Winans,     |
| Cooley,     | Hood,      | 14          |

Title agreed to.

On motion of Mr. Childs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Howell, by unanimous consent, offered the following:

*Resolved*, That if any members without excuse shall fail to answer at two consecutive calls, or shall play the "artful dodge" by retiring to committee room, be denied a certificate for the day;

Which was adopted.

## REPORTS OF SELECT COMMITTEES.

The select committee, to whom was referred House bill, entitled

A bill to organize the county of Leelanaw,

Have had the same under consideration, and beg leave to report they have made some amendments thereto, in which they recommend the concurrence of the House, and that the bill, when so amended, do then pass, and ask to be discharged.

GEO. F. HEMINGWAY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Ramsdell,

The House concurred in the amendments made by the committee.

On motion of Mr. Hemingway,

The bill was placed on its final passage.

The bill was then read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

#### YEAS.

|            |              |               |
|------------|--------------|---------------|
| Mr. Baker, | Mr. Gregory, | Mr. Peterson, |
| Beamer,    | A. L. Green, | Pringle,      |
| Browell,   | N. K. Green, | Ramsdell,     |
| Bunce,     | Haire,       | Rankin,       |
| Chase,     | Hemingway,   | Read,         |
| Choate,    | Hill,        | Shank,        |
| Chapoton,  | Hood,        | Taylor,       |
| Cutcheon,  | Hurd,        | Waterbury,    |
| C. Davis,  | Leetch,      | J. B. Wilson, |
| Douglas,   | Moore,       | Wright,       |
| Fallass,   | Persons,     |               |

33

#### NAYS.

|                |             |               |
|----------------|-------------|---------------|
| Mr. Alexander, | Mr. Joy,    | Mr. Strong,   |
| Childs,        | Kanouse,    | Tibbits,      |
| Cooley,        | Kelsey,     | Tell,         |
| Cox,           | Lockwood,   | Wade,         |
| Crego,         | Miller,     | Wallin,       |
| A. W. Davis,   | Morrison,   | Warner,       |
| Ira Davis,     | Peters,     | Wetherby,     |
| Foote,         | Piper,      | Wheeler,      |
| Fowle,         | Pratt,      | T. M. Wilson, |
| Gilbert,       | Sessions,   | Winans,       |
| Hadley,        | Smith,      | Woodman,      |
| Hodges,        | A. Stevens, | Woodward,     |
| Howell,        | Stewart,    | Speaker,      |
| Jones,         | Stoddard,   |               |

41

The special committee to whom was committed House bill No. 152, being

A bill to provide for the preservation of the Muskegon river improvement, and to authorize tolls for the same,

Report, that they have had the same under consideration, and

respectfully submit the following amendments: Strike out all after the enacting clause and insert the amendments herewith submitted, in which they ask the concurrence of the House, and when so amended, recommend that the same do pass, and ask to be discharged from the further consideration thereof.

All of which is respectfully submitted.

C. DAVIS, *in behalf of Committee*

Report accepted and committee discharged.

On motion of Mr. Howell,

The House concurred in the amendments made by the committee.

Mr. C. Davis moved that the bill be placed on its final passage; Which motion prevailed.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|              |                |                |
|--------------|----------------|----------------|
| Mr. Baker,   | Mr. Henderson, | Mr. Sessions,  |
| Beamer,      | Hemingway,     | Shank,         |
| Choate,      | Hill,          | Smith,         |
| Chapoton,    | Hodges,        | W. N. Stevens, |
| Cooley,      | Howell,        | A. Stevens,    |
| Cutcheon,    | Hurd,          | Stewart,       |
| C. Davis,    | Joy,           | Stoddard,      |
| Ira Davis,   | Kanouse,       | Strong,        |
| Douglas,     | Kelsey,        | Tibbits,       |
| Fallass,     | Leetch,        | Wade,          |
| Fowle,       | Lockwood,      | Wallin,        |
| Gilbert,     | Morrison,      | Warner,        |
| Goodrich,    | Moore,         | Wetherby,      |
| A. L. Green, | Peterson,      | Wheeler,       |
| N. K. Green, | Piper,         | T. M. Wilson,  |
| Hadley,      | Rankin,        | Woodman,       |
| Haire,       | Read,          | Wright,        |

51

#### NAYS.

|                |              |               |
|----------------|--------------|---------------|
| Mr. Alexander, | Mr. Gregory, | Mr. Toll,     |
| Brownell,      | Hood,        | Waterbury,    |
| Bunce,         | Jones,       | J. B. Wilson, |
| Chase,         | Persons,     | Winans,       |
| Crego,         | Peters,      | Woodward,     |
| A. W. Davis,   | Pringle,     | Speaker,      |
| Roots,         |              |               |

19

The select committee, to whom was referred House bill, entitled

A bill to prevent fishing with seines or any kind of nets in certain counties of this State,

Report that they have had the same under consideration, have made some amendments thereto, and have instructed their chairman to report the same back to the House as amended, and recommend the same do pass, and ask to be discharged from the further consideration of the same.

O. B. WADE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Crego,

The House concurred in the amendments made by the committee.

On motion of Mr. Wade,

The bill was ordered engrossed for a third reading.

The select committee to whom was referred House bill No. 189, entitled

A bill to amend chapter 10 of the compiled laws, in relation to certain duties and compensations of county surveyors,

Respectfully report the bill back with an amendment, and ask to be discharged from the further consideration thereof.

SLOAN COOLEY.

Report accepted and committee discharged.

On motion of Mr. Cooley,

The House concurred in the substitute offered by the committee.

On motion of Mr. Hadley,

The bill was ordered engrossed for a third reading.

Mr. Joy, by unanimous consent, offered the following :

*Resolved*, That the usual committee be appointed, to confer with a like committee to be appointed by the Senate, relative to the difference between the two Houses, as to the bill, entitled

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting

taxes thereon, approved February 14, 1853, and an act amendatory thereto, approved February 4, 1853;

Which was adopted.

The Speaker announced Messrs. Joy, Sessions and Waterbury said committee.

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,  
Lansing, March 12, 1861. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to transmit the following concurrent resolution :

*Whereas*, The Governor, by communication to the Senate, has announced his readiness to nominate a person for the office of Adjutant General for the consideration of a joint convention of this Legislature ; therefore

*Resolved*, (if the House concur,) That the two Houses will meet in joint convention, to receive and consider any nominations the executive may submit, this evening at seven o'clock;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

On motion of Mr. Lockwood,

The House concurred in the adoption of the resolution.

Also the following:

SENATE CHAMBER,  
Lansing, March 11, 1861. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to transmit the following entitled bills :

1. A bill to amend an act entitled an act to provide for a military fund in aid of the uniformed volunteer militia, approved February 14, 1859;

2. A bill to amend an act entitled an act to provide for the

drainage and reclamation of swamp lands by means of State roads and ditches, approved February 12, 1859, by adding thereto sections 13, 14, 15, 16, 17, 18, 19, 20 and 21;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on ways and means.

The second named bill was read a first and second time by its title, and referred to the committee on public lands.

Also the following:

SENATE CHAMBER,  
Lansing, March 11, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bills:

1. A bill to repeal an act to furnish the Michigan Journal of Education to school districts, approved February 10, 1857;
2. A bill to organize the township of Strickland;
3. A bill to regulate the payments of entry fees in certain cases;

Which have passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate*

The first named bill was read a first and second time, by its title, and referred to the committee on ways and means.

The second named bill was read a first and second time, by its title, and referred to the committee on towns and counties.

The third named bill was read a first and second time, by its title, and referred to the committee on judiciary.



## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Fowle moved to take from the table Senate bill No. 81, entitled

A bill regulating the execution of deeds and other instruments affecting real estate;

Which motion prevailed.

On motion of Mr. Fowle,

The bill was placed on the order of third reading.

Mr. Bunce moved to take from the table House bill, entitled

A bill to attach certain territory to the township of Port Huron, in the county of St. Clair;

Which motion prevailed.

On motion of Mr. Bunce,

The bill was placed on the order of third reading.

Mr. Jones offered the following:

"Resolved, That the special committee on salt be required to report to this House at two o'clock P. M. of this day, a certain bill referred to said committee, to repeal the bounty on salt; also, the Senate bill on the same subject.

Mr. Lockwood moved to lay the resolution on the table;

Which motion did not prevail.

The resolution was then adopted.

Mr. Pratt moved to take from the table House joint resolution, entitled

Joint resolution to relieve Christopher C. Darling and Leonard Murphy, in the matter of extra work on the Ionia and Houghton Lake State swamp land road, and to authorize the Auditor General to draw his warrant on the State Treasurer for the amount herein stated;

Which motion did not prevail.

## THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill, entitled

A bill to amend section 2, chapter 119, of the revised statutes of 1846, being section 3967 of the compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |             |                |
|----------------|-------------|----------------|
| Mr. Alexander, | Mr. Hodges, | Mr. Shanahan,  |
| Childs,        | Howell,     | Smith,         |
| Choate,        | Hurd,       | W. N. Stevens, |
| Chapoton,      | Joy,        | A. Stevens,    |
| Cutcheon,      | Kanouse,    | Stewart,       |
| Ira Davis,     | Kelsey,     | Stoddard,      |
| Douglas,       | Morrison,   | Strong,        |
| Fowle,         | Moore,      | Taylor,        |
| Gilbert,       | Persons,    | Tibbits,       |
| Goodrich,      | Peters,     | Wade,          |
| Gregory,       | Peterson,   | Warner,        |
| N. K. Green,   | Phelps,     | Wetherby,      |
| Hadley,        | Pratt,      | Woodman,       |
| Henderson,     | Pringle,    | Wright,        |
| Hemingway,     | Ramsdell,   | Speaker,       |
| Hill,          | Shank,      |                |

47

## NAYS.

|              |               |            |
|--------------|---------------|------------|
| Mr. Baker,   | Mr. C. Davis, | Mr. Piper, |
| Beamer,      | Fallass,      | Read,      |
| Brownell,    | Foote,        | Wallin,    |
| Chase,       | A. L. Green,  | Wheeler,   |
| Cooley,      | Haire,        | Winans,    |
| Crego,       | Hood,         | Woodward,  |
| A. W. Davis, | Leetch,       |            |

20

House joint resolution, entitled

Joint resolution to provide for amendments of article 6, sections 2 and 3, article 9, section 1, article 13, section 6, article 15, sections 1, 2 and 4, article 20, section 2, of the Constitution of the State of Michigan,

Being under consideration,

Mr. Howell moved that it be laid on the table;

Which motion prevailed.

House bill, entitled

A bill to prevent officers and clerks employed in the State Land office, and in the Auditor General's office, from purchasing lands at such offices,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|                |             |                |
|----------------|-------------|----------------|
| Mr. Alexander, | Mr. Hadley, | Mr. Piper,     |
| Chase,         | Haire,      | Pratt,         |
| Choate,        | Henderson,  | Pringle,       |
| Chapoton,      | Hemingway,  | Rankin,        |
| Cooley,        | Hill,       | Read,          |
| Cox,           | Hodges,     | Sessions,      |
| Crego,         | Hood,       | Shanahan,      |
| A. W. Davis,   | Howell,     | W. N. Stevens, |
| C. Davis,      | Hurd,       | Stoddard,      |
| Ira Davis,     | Jones,      | Strong,        |
| Douglas,       | Joy,        | Taylor,        |
| Fallass,       | Kanouse,    | Tibbits,       |
| Foote,         | Kelsey,     | Wade,          |
| Fowle,         | Leetch,     | Wetherby,      |
| Gilbert,       | Miller,     | J. B. Wilson,  |
| Goodrich,      | Morrison,   | Woodman,       |
| Gregory,       | Moore,      | Woodward,      |
| A. L. Green,   | Peters,     | Wright,        |
| N. K. Green,   | Phelps,     | Speaker, 57    |

## NAYS.

|            |            |             |
|------------|------------|-------------|
| Mr. Baker, | Mr. Shank, | Mr. Winans, |
| Ramsdell,  | Wallin,    | 5           |

Title agreed to.

House bill No. 145, entitled

A bill to repeal an act to furnish the Michigan Journal of Education to the school districts, approved Feb. 14, 1857,

Being under consideration,

On motion of Mr. Ramsdell,

The bill was laid on the table.

House bill No. 166, entitled

A bill to re-organize the ninth judicial circuit, and to form an additional judicial circuit,

Being under consideration,

On motion of Mr. Hewell,

The bill was laid on the table.

House bill No. 72, entitled

A bill to provide a military contingent fund and force,

Being under consideration,

On motion of Mr. Hemingway,

The bill was recommitted to the committee on militia.

Mr. Waterbury moved that the House adjourn;

Which motion did not prevail.

House bill No. 163, entitled

A bill authorizing Eber B. Ward to receive toll upon a canal constructed by him, in the county of St. Clair, and which drains a body of swamp lands,

Being under consideration,

On motion of Mr. Kelsey,

The bill was laid on the table.

House bill No. 127, entitled

A bill to provide for the construction and repair of bridges across the streams of this State,

Being under consideration,

On motion of Mr. Morrison,

The bill was laid on the table.

Mr. Howell moved that the House adjourn;

Which motion did not prevail.

House bill No. 118, entitled

A bill to amend act No. 200 of the session laws of 1859, being an act to encourage the manufacture of salt in the State of Michigan, approved February 15th, 1859,

Being under consideration,

On motion of Mr. Howell,

The bill was laid on the table.

House joint resolution No. 5, entitled

Joint resolution proposing an amendment to section 1, article 7, of the constitution of Michigan, relative to the right of suffrage,

Being under consideration,

On motion of Mr. Howell,

The joint resolution was laid on the table.

House bill, entitled

A bill to amend certain provisions of the prohibitory liquor law, and reduce the penalty for violation to practical dimensions,

Being under consideration,

On motion of Mr. Alexander,

The bill was laid on the table.

House bill, entitled

A bill to provide for "wimmen's" rights,

Being under consideration,

On motion of Mr. Cooley,

The bill was laid on the table.

House bill No. 112, entitled

A bill to authorize proceedings by garnishment in the circuit courts and district court of the Upper Peninsula,

Being under consideration,

Mr. Toll demanded the previous question on the passage of the bill;

The demand was seconded, and the main question ordered.

On motion of Mr. Tibbits,

The reading of the bill *in extenso* was dispensed with.

The bill was then read a third time, by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Alexander,

Atwood,

Baker,

Beamer,

Brownell,

Bunce,

Chase,

Childs,

Choate,

Chapoton,

Cutcheon,

Ira Davis,

Douglas,

Fallase,

Gilbert,

Goodrich,

Gregory,

A. L. Green,

Mr. N. K. Green,

Hadley,

Hemingway,

Hill,

Hodges,

Hood,

Jones,

Joy,

Kanouse,

Kelsey,

Lockwood,

Moore,

Phelps,

Piper,

Pratt,

Pringle,

Ramsdell,

Rankin,

Mr. Shank,

Shanahan,

Smith,

A. Stevens,

Stewart,

Stoddard,

Strong,

Taylor,

Tibbits,

Toll,

Wallin,

Wetherby,

Wheeler,

J. B. Wilson,

Winans,

Wright,

Speaker,

## NAYS.

|              |                |              |
|--------------|----------------|--------------|
| Mr. Cooley,  | Mr. Henderson, | Mr. Peters,  |
| Cox,         | Howell,        | Peterson,    |
| A. W. Davis, | Hurd,          | Read,        |
| G. Davis,    | Leetch,        | Wade,        |
| Foote,       | Miller,        | Waterbury,   |
| Fowle,       | Morrison,      | Woodman,     |
| Haire,       | Persons,       | Woodward, 27 |

On motion of Mr. Wallin,

The House adjourned until 2 o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

House met pursuant to adjournment, and was called to order by the Speaker.

Roll called : quorum present.

By unanimous consent, the following report was submitted:

The committee on public lands, to whom was referred Senate bill No. 82, being

A bill to amend an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, approved February 12, 1859, by adding thereto sections 13, 14, 15, 16, 17, 18, 19, 20 and 21,

Have had the same under consideration, and recommend that the same be so amended as to conform to the provisions of House bill No. 174, providing for the construction of roads by means of ditches, &c., in the Upper Peninsula, which passed this House a few days since. We herewith report amendments to make this bill compare with the bill aforesaid, and recommend that they be adopted, and when so amended that the bill do pass. Your committee respectfully ask to be discharged.

All of which is respectfully submitted.

J. C. WATERBURY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Warner,

The House concurred in the amendments made by the committee.

On motion of Mr. Hill,

The bill was placed on its final passage.

On motion of Mr. Howell,

The reading of the bill *in extenso* was dispensed with.

The bill was then read a third time, by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

|              |           |               |
|--------------|-----------|---------------|
| Mr. Beamer,  | Mr. Hill, | Mr. Shank,    |
| Bunce,       | Hodges,   | Shanahan,     |
| Chase,       | Howell,   | Smith,        |
| Chapoton,    | Hurd,     | A. Stevens,   |
| Cooley,      | Kanouse,  | Stoddard,     |
| Crego,       | Kelsey,   | Taylor,       |
| A. W. Davis, | Leetch,   | Tibbits,      |
| C. Davis,    | Lockwood, | Toll,         |
| Ira Davis,   | Moore,    | Warner,       |
| Douglas,     | Persons,  | Waterbury,    |
| Fowle,       | Peterson, | Wetherby,     |
| N. K. Green, | Piper,    | T. M. Wilson, |
| Hadley,      | Pratt,    | J. B. Wilson, |
| Haire,       | Pringle,  | Woodman,      |
| Henderson,   | Ram-dell, | Speaker,      |
| Hemingway,   | Read,     |               |

47

#### NAYS.

|               |              |                |
|---------------|--------------|----------------|
| Mr. Alexander | Mr. Gilbert, | Mr. Sessions,  |
| Brownell,     | Gregory,     | W. N. Stevens, |
| Childs,       | A. L. Green, | Strong,        |
| Choate,       | Jones,       | Wade,          |
| Cutcheon,     | Joy,         | Winans,        |
| Fallass,      | Peters,      | Woodward,      |
| Foote,        |              |                |

19

Title agreed to. -

On motion of Mr. Warner,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By unanimous consent, the committee on militia submitted the following report :

The committee on militia, to whom was referred back House bill No. 72, being

A bill to provide a military force,

Would respectfully report that they have had the same under consideration, have made some amendments thereto, and recommend that the same do pass, as amended, and ask to be discharged from the further consideration of the same.

ALEXANDER W. DAVIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Sessions,

The House concurred in the amendments made by the committee.

On motion of Mr. A. W. Davis,

The bill was placed on its final passage.

Mr. Gregory moved to recommit the bill to the committee on ways and means, with instructions to strike out section 7 ;

Which motion did not prevail.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|                |           |                |
|----------------|-----------|----------------|
| Mr. Alexander, | Mr. Hill, | Mr. Pringle,   |
| Baker,         | Hodges,   | Read,          |
| Beamer,        | Hood,     | Sessions,      |
| Bunce,         | Howell,   | Shank,         |
| Chase,         | Hurd,     | W. N. Stevens, |
| Childs,        | Jones,    | Stewart,       |
| Chapoton,      | Kanouse,  | Stoddard,      |
| Cox,           | Kelsey,   | Taylor,        |
| Crege,         | Leetch,   | Tibbits,       |
| A. W. Davis,   | Lockwood, | Wallin,        |
| C. Davis,      | Miller,   | Warner,        |
| Ira Davis,     | Merrisen, | Wetherby,      |
| Fallass,       | Moore,    | Wheeler,       |
| Foote,         | Persons,  | T. M. Wilson,  |
| Fowle,         | Peters,   | J. B. Wilson,  |
| Goodrich,      | Peterson, | Woodman,       |
| Haire,         | Phelps,   | Woodward,      |
| Henderson,     | Pratt,    | Speaker,       |
| Hemingway,     |           |                |

55.

#### NAYS.

|               |                  |               |
|---------------|------------------|---------------|
| Mr. Brownell, | Mr. A. L. Green, | Mr. Shanahan, |
| Choate,       | N. K. Green,     | Smith,        |
| Cookey,       | Hadley,          | A. Stevens,   |



Cutcheon,  
Douglas,  
Gilbert,  
Gregory,

Joy,  
Piper,  
Ramsdell,

Strong,  
Toll,  
Winans,

19

Mr. Pratt moved to strike out the preamble of the bill ;

Which motion did not prevail.

The title and preamble were agreed to.

On motion of Mr. Alexander,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By unanimous consent, the following report was submitted :

The select committee on salt manufacture, to whom was referred certain petitions praying for the repeal of the law of 1859, to encourage the manufacture of salt in the State of Michigan, would submit the following report :

Your committee have been unable to come to the same conclusion which seems to have governed those who petitioned for this repeal.

Your committee are, of course, unacquainted with the reasons which have led the petitioners to the conclusion at which they have arrived, but to us it looks very much like a "manufactured public opinion."

The petitioners say they "believe that the salt bounty law of 1859 has developed all that was ever contemplated by its enactment." Your committee do not pretend to know what was the intention of those who passed the law, unless they intended to do what the law proposes.

Section 1 of the article, (page 551, session laws of 1859,) says "that all companies or corporations formed, or that may be formed, for the purpose of boring for and manufacturing salt in this State, and any and all individuals engaged in, or to be engaged in such manufacture, shall be entitled to the benefits of the provisions of this act."

What this law says is very plain. Did the legislature mean anything else ? Did they intend to say to those who should avail themselves of the provisions of the law, "if you make the experiment and fail, you must lose the money which you have

expended. If you succeed in finding water of sufficient strength to warrant the *belief* that you will succeed in making salt, the next legislature will repeal the law."

Your committee cannot for a moment believe that such was the intention of the law. They cannot entertain the opinion that the Legislature of Michigan, by a sober enactment, invited her citizens to enter the lists to engage in a game of "heads I win, tails you loose." Such a view of the matter would place a sovereign State in a position which nothing but positive proof will ever satisfy your committee that this State is willing to assume.

Again, the petitioners say that they are "unwilling to be taxed for the encouragement of any business which promises certain profitable returns."

The petitioners do not appear to claim that any returns has yet been received. Nor do they claim that any profits have been made in the manufacture of salt. But for fear that such may be the result, for fear that because certain persons depending on the good faith of the State of Michigan, have expended \$100,000 in developing the resources of the State, and that there is a prospect that the State may be called upon to perform her part of the contract; therefore they ask the Legislature to repeal the law.

Your committee are not aware by what order of morals your honorable body are expected to be governed in carrying out the wishes of these petitioners. They know of no rule by which honest men have ever been governed, which would justify such a proceeding. When we are asked to forfeit the plighted faith of the State on the ground that there is a "prospect" that she may be called on to do that which she has solemnly bound herself to do, when she does not wait to be asked to keep her word, when she is asked to be dishonest because she is cowardly, your committee most respectfully decline recommending any such action, and have directed me to report the petitions back to

the House with the recommendation that the prayer of the petitioners be not granted.

T. M. WILSON, *Chairman*.

Report accepted and committee discharged.

By unanimous consent, the following report was submitted:

The special committee on salt manufacture, to whom was referred House bill, entitled

A bill to repeal act No. 200 of the session laws of 1859, the same being an act to encourage the manufacture of salt in the State of Michigan, approved February 15, 1859,

In accordance with instructions, report the same back to the House, with a recommendation that it do not pass, and ask to be discharged from its further consideration.

T. M. WILSON, *Chairman*.

Report accepted and committee discharged.

Mr. Sessions moved to lay the bill on the table.

Mr. Cooley demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

#### YEAS.

|              |           |                |
|--------------|-----------|----------------|
| Mr. Baker,   | Mr. Hill, | Mr. Shank,     |
| Beamer,      | Howell,   | Shanahan,      |
| Chase,       | Joy,      | W. N. Stevens, |
| Childs,      | Kanouse,  | A. Stevens,    |
| Choate,      | Leetch,   | Stewart,       |
| Chapoton,    | Lockwood, | Stoddard,      |
| C. Davis,    | Morrison, | Taylor,        |
| Ira Davis,   | Moore,    | Tibbits,       |
| Fallass,     | Persons,  | Wallin,        |
| Foote,       | Peterson, | Warner,        |
| Fowle,       | Phelps,   | Wetherby,      |
| Gilbert,     | Piper,    | Wheeler,       |
| Goodrich,    | Pratt,    | T. M. Wilson,  |
| A. L. Green, | Pringle,  | J. B. Wilson,  |
| N. K. Green, | Ramsdell, | Woodward,      |
| Henderson,   | Rankin,   | Wright,        |
| Hemingway,   | Sessions, | Speaker, 51    |

#### NAYS.

|                |             |           |
|----------------|-------------|-----------|
| Mr. Alexander, | Mr. Hadley, | Mr. Read, |
| Brownell,      | Haire,      | Smith.    |

Cooley,  
Cox,  
Crego,  
A. W. Davis,  
Douglas,  
Gregory,

Hodges,  
Jones,  
Kelsey,  
Miller,  
Peters,

Strong.  
Toll,  
Wade,  
Winans,  
Woodman,

33

The select committee on salt also submitted the following report:

The majority of the special committee on salt manufacture, to whom was referred Senate bill No. 84, being

A bill to amend act No. 200 of the session laws of 1859, being an act to encourage the manufacture of salt in the State of Michigan, approved February 15, 1859,

Would report that they have had the same under consideration, and have instructed me to report the same back to the House with a recommendation that House bill No. 118 be substituted, when the same shall be so amended that the whole amount to be paid to any one company shall not exceed thirty-five hundred dollars, and ask to be discharged from the further consideration of the same.

T. M. WILSON, *Chairman*.

Report accepted and committee discharged.

Mr. T. M. Wilson moved that the House concur in the adoption of the substitute.

Mr. Foote moved to recommit the bill to the select committee on salt, with instructions to make the provisions inapplicable to any company hereafter to be organized, or to any new company purchasing old works;

Which motion did not prevail.

Mr. Jones demanded the yeas and nays on the adoption of the substitute.

The demand was seconded, and the substitute was not adopted, by yeas and nays, as follows:

#### YEAS.

Mr. Cooley,  
C. Davis,  
Douglas,  
Fallas,

Mr. Howell,  
Kanouse,  
Lockwood,  
Moore,

Mr. Rankin,  
A. Stevens,  
Stoddard,  
Taylor,

Gilbert,  
Hadley,  
Haire,  
Hemingway,  
Hill,

Peterson,  
Phelps,  
Pratt,  
Pringle,  
Ramsdell,

Tibbits,  
Warner,  
T. M. Wilson,  
Speaker,

26

## NAYS.

Mr. Alexander,  
Atwood,  
Baker,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cox,  
Orego,  
Cutcheon,  
A. W. Davis,  
Ira Davis,  
Foote,  
Fowle,

Mr. Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,  
Henderson,  
Hodges,  
Hood,  
Hurd,  
Jones,  
Joy,  
Kelsey,  
Leetch,  
Miller,  
Peters,  
Piper,  
Sessions,

Mr. Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
Stewart,  
Strong,  
Toll,  
Wade,  
Wallin,  
Waterbury,  
Wheeler,  
Winans,  
Woodman,  
Woodward,  
Wright,

47

Mr. Toll moved that the bill be placed on its final passage;  
Which motion prevailed.

The bill, being Senate bill No 84, entitled

A bill to amend act No. 200, of the session laws of 1859,  
being an act to encourage the manufacture of salt in the State  
of Michigan, approved February 15, 1859,

Was read a third time and passed, a majority of all the mem-  
bers elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Alexander,  
Atwood,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cox,  
Orego,

Mr. N. K. Green,  
Henderson,  
Hodges,  
Hood,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,

Mr. Shank  
Smith,  
W. N. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Waterbury,  
Wetherby,

Cutcheon,  
A. W. Davis,  
Ira Davis,  
Foote,  
Fowle,  
Goodrich,  
Gregory,  
A. L. Green,

Morrison,  
Moore,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Rankin,  
Sessions,

Wheeler,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

59

## NAYS.

Mr. C. Davis,  
Douglas,  
Fallass,  
Gilbert,  
Hadley,  
Haïre,

Mr. Hemingway,  
Hill,  
Howell,  
Persons,  
Pratt,  
Pringle,

Mr. Ramsdell,  
A. Stevens,  
Taylor,  
Warner,  
T. M. Wilson,

17

The question being upon agreeing to the title,

Mr. A. Stevens offered the following substitute;

A bill to encourage the manufacture of salt in other States,  
and crush out our own manufactures in this State;

Which was not adopted.

Title agreed to.

On motion of Mr. Wheeler,

By a vote of two-thirds of all the members elect, the bill was  
ordered to take immediate effect.

Mr. Atwood moved to reconsider the vote whereby the House  
passed the bill;

On motion of Mr. Tell,

The motion to reconsider was laid on the table.

House bill, entitled

A bill to amend section 1, session laws of 1859, entitled an  
act to prevent fishing with seines and every kind of nets, in cer-  
tain counties in the State of Michigan,

Was read a third time and passed, a majority of all the mem-  
bers elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Alexander,  
Atwood,  
Baker,  
Beamer,  
Brownell,

Mr Gregory,  
A L. Green,  
Henderson,  
Hill,  
Hodges,

Mr. Ramsdell,  
Rankin,  
Sessions,  
Shank,  
Smith,

|            |           |                |
|------------|-----------|----------------|
| Bunce,     | Hood,     | W. N. Stevens, |
| Chase,     | Howell,   | Strong,        |
| Childs,    | Hurd,     | Taylor,        |
| Choate,    | Jones,    | Tibbits,       |
| Chapoton,  | Kanouse,  | Toll,          |
| Cooley,    | Kelsey,   | Wade,          |
| Crego,     | Leetch,   | Wallin,        |
| C. Davis,  | Lockwood, | Warner,        |
| Ira Davis, | Morrison, | Waterbury,     |
| Douglas,   | Moore,    | Wetherby,      |
| Foote,     | Peters,   | J. B. Wilson,  |
| Fowle,     | Phelps,   | Woodman,       |
| Gilbert,   | Pratt,    | Speaker,       |
| Goodrich,  | Pringle,  | 56             |

## NAYS.

|             |              |                   |
|-------------|--------------|-------------------|
| Mr. Hadley, | Mr. Stewart, | Mr. T. M. Wilson, |
| Haire,      | Stoddard,    | Winans,           |
| Shanahan,   | Wheeler,     | 8                 |

The question being upon agreeing to the title,

Mr. Childs moved to amend the same by striking out in lines first and second, the words "section 1, session laws of 1859," and insert in lieu thereof the words "an act;" and also at the end of the last line, attach the words "approved February 15, 1859;"

Which motion prevailed.

The title, as amended, was then agreed to.

On motion of Mr. Jones,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to amend act No. 255 of the laws of 1859, approved February 15, 1859, entitled an act for laying out and establishing a State road from Midland city, in the county of Midland, to St. Charles, in the county of Saginaw,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |                |            |
|----------------|----------------|------------|
| Mr. Alexander, | Mr. Henderson, | Mr. Shank, |
| Atwood,        | Hemingway,     | Smith,     |

Baker,  
Brownell,  
Bunce,  
Chase,  
Choate,  
Cooley,  
Cox,  
Orego,  
O. Davis,  
Ira Davis,  
Douglas,  
Fallas,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
A. L. Green,  
Hadley,  
Haire,

Hill,  
Hodges,  
Howell,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,  
Rankin,  
Sessions,

W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Waterbury,  
Wetherby,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Speaker,

61

NAYS.

0

Title agreed to.

House bill, entitled

A bill to amend section 8, of act No. 152 of session laws of 1859, for laying out and establishing a State road in Saginaw and Genesee counties,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Alexander,  
Atwood,  
Baker,  
Beamer,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cutcheon,  
A. W. Davis,  
O. Davis,  
Ira Davis,  
Foote,  
Fowle,  
Goodrich,  
Gregory,

Mr. Hemingway,  
Hill,  
Hood,  
Howell,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Miller,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,

Mr. Sessions,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Wade,  
Wallin,  
Waterbury,  
Wetherby,  
J. B. Wilson,  
Winans,  
Woodman,



N. K. Green,  
Hadley,  
Haire,

Ramsdell,  
Rankin,

Woodward,  
Speaker,

56

## NAYS.

Mr. Chapoton,

Mr. Orego,

Mr. Gilbert,

3

Title agreed to.

House bill, entitled

A bill to provide for establishing and preserving section and quarter post corners on the United States surveys,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,

Mr. Hadley,

Mr. Ramsdell,

Atwood,

Henderson,

Rankin,

Beamer,

Hemingway,

Sessions,

Brownell,

Hill,

Smith,

Bunce,

Hodges,

Stewart,

Childs,

Howell,

Stoddard,

Cooley,

Joy,

Strong,

Orego,

Kanouse,

Taylor,

A. W. Davis,

Kelsey,

Wade,

C. Davis,

Leetch,

Wallin,

Ira Davis,

Morrison,

Waterbury,

Douglas,

Moere,

J. B. Wilson,

Foots,

Persons,

Winans,

Fowle,

Peters,

Woodman,

Gilbert,

Phelps,

Woodward,

Goodrich,

Piper,

Wright,

A. L. Green,

Pratt,

Speaker,

N. K. Green,

Pringle,

53

## NAYS.

Mr. Shank,

1

Title agreed to.

House bill, entitled

A bill to provide for the appointment of examiners in chancery,

Being under consideration,

On motion of Mr. Howell,

The bill was laid on the table.

House bill, entitled

A bill to amend an act entitled an act to incorporate the city of Jackson, approved February 14, 1857,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows :

## YEAS.

|              |                  |               |
|--------------|------------------|---------------|
| Mr. Atwood,  | Mr. A. L. Green, | Mr. Ramsdell, |
| Beamer,      | Hadley,          | Rankin,       |
| Brownell,    | Haire,           | Sessions,     |
| Bunce,       | Hill,            | Shanahan,     |
| Chase,       | Hodges,          | Smrth,        |
| Childs,      | Hood,            | A. Stevens,   |
| Choate,      | Howell,          | Stewart,      |
| Cooley,      | Jones,           | Stoddard,     |
| Crego,       | Kanouse,         | Taylor,       |
| Cutcheon,    | Kelsey,          | Tibbits,      |
| A. W. Davis, | Leetch,          | Wade,         |
| C. Davis,    | Lockwood,        | Warner,       |
| Ira Davis,   | Morrison,        | J. B. Wilson, |
| Footo,       | Moore,           | Winans,       |
| Fowle,       | Peterson,        | Woodman,      |
| Gilbert,     | Phelps,          | Woodward,     |
| Goodrich,    | Piper,           | Speaker,      |
| Gregory,     | Pringle,         |               |
|              | NAYS.            | 53            |
|              |                  | 0             |

Title agreed to.

House bill, entitled

A bill to repeal act No. 177, of the session laws of 1859, being an act further to preserve the purity of elections, and guard against the abuses of the elective franchise by a registration of electors, approved February 14, 1859,

Being under consideration,

Mr. Lockwood moved that the bill be indefinitely postponed.

Mr. Cooley demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows :

## YEAS.

|                |                |               |
|----------------|----------------|---------------|
| Mr. Alexander, | Mr. Hemingway, | Mr. Ramsdell, |
| Baker,         | Hill,          | Rankin,       |
| Beamer,        | Hodges,        | Read,         |
| Bunce,         | Hood,          | Sessions,     |
| Chase,         | Joy,           | Shanahan,     |

|              |           |                |
|--------------|-----------|----------------|
| Childs,      | Kanouse,  | Smith,         |
| Chapoton,    | Kelsey,   | W. N. Stevens, |
| Cox,         | Leetch,   | Stewart,       |
| Crego,       | Lockwood, | Stoddard,      |
| Cutcheon,    | Miller,   | Taylor,        |
| A. W. Davis, | Morrison, | Wade,          |
| Footc,       | Moore,    | Wallin,        |
| Fowle,       | Peters,   | Wetherby,      |
| Gilbert,     | Peterson, | J. B. Wilson,  |
| Goodrich,    | Phelps,   | Woodman,       |
| A. L. Green, | Piper,    | Woodward,      |
| N. K. Green, | Pratt,    | Wright,        |
| Haire,       | Pringle,  | Speaker,       |
| Henderson,   |           | 55.            |

## NAYS.

|             |              |             |
|-------------|--------------|-------------|
| Mr. Atwood, | Mr. Douglas, | Mr. Strong, |
| Brownell,   | Gregory,     | Toll,       |
| Choate,     | Hadley,      | Warner,     |
| Cooley,     | A. Stevens.  | Winans,     |
|             |              | 12.         |

House bill, entitled

A bill to amend section 1 of an act entitled an act to aid in the improvement of a certain State road,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

|                |                  |                 |
|----------------|------------------|-----------------|
| Mr. Alexander, | Mr. N. K. Green, | Mr. A. Stevens, |
| Atwood,        | Haire,           | Stoddard,       |
| Baker,         | Henderson,       | Strong,         |
| Beamer,        | Hill,            | Taylor,         |
| Brownell,      | Hurd,            | Toll,           |
| Chase,         | Kanouse,         | Wade,           |
| Chapoton,      | Persons,         | Warner,         |
| Cox,           | Peterson,        | J. B. Wilson,   |
| Crego,         | Pratt,           | Winans,         |
| Ira Davis,     | Pringle,         | Woodman,        |
| Douglas,       | Ramsdell,        | Woodward,       |
| Footc,         | Rankin,          | Wright,         |
| Gilbert,       | Read,            | Speaker,        |
| Goodrich,      | Sessions,        | 41.             |

## NAYS.

|            |             |                |
|------------|-------------|----------------|
| Mr. Bunce, | Mr. Hodges, | Mr. Piper,     |
| Childs,    | Leetch,     | Smith,         |
| Cooley,    | Lockwood,   | W. N. Stevens, |

Cutcheon,  
A. W. Davis,  
Fowle,  
A. L. Green,

Miller,  
Morrison,  
Peters,  
Phelps,

Stewart,  
Tibbits,  
Wallin,  
Wetherby, 21

Mr. A. L. Green moved that the vote be reconsidered whereby the House refused to pass the bill;

Which motion prevailed.

The question recurring upon the passage of the bill, it was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Atwood,  
Beamer,  
Brownell,  
Chase,  
Choate,  
Chapoton,  
Ira Davis,  
Douglas,  
Foote,  
Gilbert,  
Goodrich,  
N. K. Green,  
Haire,  
Henderson,  
Hemingway,

Mr. Hill,  
Hodges,  
Hood,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Moore,  
Persons,  
Peterson,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,  
Rankin,

Mr. Shank,  
Smith,  
A. Stevens,  
Stoddard,  
Strong,  
Tayler,  
Tibbits,  
Toll,  
Warner,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker, 45

## NAYS.

Mr. Bunce,  
Childs,  
Cooley,  
Crego,  
Cutcheon,  
C. Davis,  
A. L. Green,

Mr. Hadley,  
Lockwood,  
Miller,  
Morrison,  
Peters,  
Phelps,

Mr. Sessions,  
W. N. Stevens,  
Stewart,  
Wade,  
Wallin,  
Wetherby,

19

The question being upon agreeing to the title,

Mr. Stoddard offered the following substitute therefor :

A bill to amend section one, of an act entitled an act appropriating certain highway taxes for the improvement of a road in the counties of Saginaw, Tuscola, Genesee and Lapeer;

Which was adopted.

The title, as amended, was then agreed to.

House bill, entitled

A bill to attach certain territory in the county of St. Clair to the township of Port Huron, in said county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|              |           |                |
|--------------|-----------|----------------|
| Mr. Baker,   | Mr. Hill, | Mr. Shank,     |
| Beamer,      | Hodges,   | Shanahan,      |
| Brownell,    | Hood,     | Smith,         |
| Bunce,       | Howell,   | W. N. Stevens, |
| Choate,      | Hurd,     | A. Stevens,    |
| Chapoton,    | Kanouse,  | Stewart,       |
| Crego,       | Kelsey,   | Stoddard,      |
| Cutcheon,    | Lockwood, | Taylor,        |
| C. Davis,    | Morrison, | Tibbits,       |
| Douglas,     | Moore,    | Toll,          |
| Gilbert,     | Peters,   | Wade,          |
| Goodrich,    | Peterson, | Wallin,        |
| Gregory,     | Phelps,   | Wetherby,      |
| A. L. Green, | Piper,    | Woodman,       |
| N. K. Green, | Pringle,  | Wright,        |
| Henderson,   | Ramsdell, | Speaker, 48    |

## NAYS.

|             |               |             |
|-------------|---------------|-------------|
| Mr. Atwood, | Mr. Strong,   | Mr. Winans, |
| Hadley,     | J. B. Wilson, | Woodward, 6 |

Title agreed to.

On motion of Mr. Bunce,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to authorize the trustees of the Grass Lake Baptist Society of the township of Grass Lake, in the county of Jackson, to convey certain real estate to school district No. 9, of said township,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |             |              |
|----------------|-------------|--------------|
| Mr. Alexander, | Mr. Hadley, | Mr. Pringle, |
| Atwood,        | Haire,      | Ramsdell,    |
| Baker,         | Henderson,  | Shanahan,    |

|              |           |                |
|--------------|-----------|----------------|
| Beamer,      | Hill,     | Smith,         |
| Brownell,    | Hodges,   | W. N. Stevens, |
| Bunce,       | Hood,     | A. Stevens,    |
| Choate,      | Howell,   | Stoddard,      |
| Chapoton,    | Hurd,     | Strong,        |
| Crego,       | Kanouse,  | Taylor,        |
| Cutcheon,    | Kelsey,   | Tibbits,       |
| C. Davis,    | Leetch,   | Wade,          |
| Douglas,     | Lockwood, | Warner,        |
| Foots,       | Morrison, | Wetherby,      |
| Goodrich,    | Moore,    | J. B. Wilson,  |
| Gregory,     | Persons,  | Woodman,       |
| A. L. Green, | Peters,   | Wright,        |
| N. K. Green, | Phelps,   | Speaker, 51    |

## NAYS.

|              |              |             |   |
|--------------|--------------|-------------|---|
| Mr. Gilbert, | Mr. Stewart, | Mr. Wallin, | 3 |
|--------------|--------------|-------------|---|

Title agreed to.

On motion of Mr. Crego,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 139, entitled

A bill to amend chapter 10 of the compiled laws, in relation to certain duties and compensations of county surveyors,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|                |             |               |
|----------------|-------------|---------------|
| Mr. Alexander, | Mr. Hadley, | Mr. Ramsdell, |
| Atwood,        | Haire,      | Rankin,       |
| Beamer,        | Henderson,  | Read,         |
| Brownell,      | Hemingway,  | Shank,        |
| Bunce,         | Hill,       | Shanahan,     |
| Chase,         | Hodges,     | Smith,        |
| Childs,        | Howell,     | A. Stevens,   |
| Chapoton,      | Hurd,       | Stoddard,     |
| Cooley,        | Joy,        | Taylor,       |
| A. W. Davis,   | Kanouse,    | Tibbits,      |
| C. Davis,      | Kelsey,     | Wallin,       |
| Douglas,       | Lockwood,   | Warner,       |
| Fallass,       | Miller,     | T. M. Wilson, |
| Fowle,         | Morrison,   | Winans,       |
| Gilbert,       | Moore,      | Woodman,      |
| Goodrich,      | Peterson,   | Woodward,     |
| Grogory,       | Phelps,     | Wright,       |

|              |        |          |    |
|--------------|--------|----------|----|
| A. L. Green, | Piper, | Speaker, |    |
| N. K. Green, |        |          | 55 |

## NAYS.

|           |             |              |   |
|-----------|-------------|--------------|---|
| Mr. Hood, | Mr. Peters, | Mr. Stewart, | 3 |
|-----------|-------------|--------------|---|

House joint resolution, entitled

Joint resolution authorizing the common council of the city of Lansing to use a portion of a street therein for purposes of the fire department of said city,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|                |            |                |    |
|----------------|------------|----------------|----|
| Mr. Alexander, | Mr. Haire, | Mr. Rankin,    |    |
| Atwood,        | Henderson, | Read,          |    |
| Baker,         | Hemingway, | Sessions,      |    |
| Beamer,        | Hill,      | Shank,         |    |
| Childs,        | Hood,      | Shanahan,      |    |
| Choate,        | Howell,    | Smith,         |    |
| Chapoton,      | Hurd,      | W. N. Stevens, |    |
| Cooley,        | Kanouse,   | A. Stevens,    |    |
| Cox,           | Kelsey,    | Stewart,       |    |
| Cutcheon,      | Leetch,    | Stoddard,      |    |
| C. Davis,      | Miller,    | Taylor,        |    |
| Douglas,       | Morrison,  | Tibbits,       |    |
| Fallass,       | Moore,     | Wallin,        |    |
| Foote,         | Peters,    | Warner,        |    |
| Fowle,         | Peterson,  | Wetherby,      |    |
| Gilbert,       | Phelps,    | Woodman,       |    |
| Goodrich,      | Piper,     | Woodward,      |    |
| A. L. Green,   | Pratt,     | Wright,        |    |
| Hadley,        | Pringle,   | Speaker,       | 57 |

## NAYS.

|             |                   |             |   |
|-------------|-------------------|-------------|---|
| Mr. Hodges, | Mr. J. B. Wilson, | Mr. Winans, | 3 |
|-------------|-------------------|-------------|---|

Title agreed to.

Senate bill, entitled

A bill granting to the Grand River Valley railroad company the right of way across certain State lands, and extending the time for the construction of the same,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Alexander,  
Atwood,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Chase,  
Choate,  
Chapoton,  
Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Douglas,  
Fallass,  
Fowle,  
Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,

Mr. Haire,  
Hemingway,  
Hill,  
Hodges,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,

Mr. Rankin,  
Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Wade,  
Warner,  
Wetherby,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

62

## NAYS.

Mr. Foote,  
Gilbert,

Mr. Henderson,  
Miller,

Mr. Wallin,

5

Title agreed to.

Senate bill No. 72, entitled

A bill to amend an act entitled an act to provide for the incorporation of railroad companies, approved February 12, 1855,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,  
Baker,  
Beamer,  
Brownell,  
Chase,  
Choate,  
Cooley,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,

Mr. Hadley,  
Henderson,  
Hill,  
Hodges,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Morrison,  
Moore,  
Peters,

Mr. Read,  
Sessions,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Wade,  
Wetherby,



Douglas,  
Gilbert,  
Goodrich,  
Gregory,  
N. K. Green,

Peterson,  
Piper,  
Pratt,  
Pringle,  
Rankin,

T. M. Wilson,  
J. B. Wilson,  
Woodward,  
Speaker,

47

## NAYS.

Mr. Foote,  
Haire,  
Hood,  
Howell,

Mr. Jones,  
Miller,  
Shanahan,

Mr. Tibbits,  
Toll,  
Woodman,

10

Title agreed to.

## MESSAGE FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER,  
Lansing, March 12, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to inform the House that the Senate does not recede from its substitute to House bill No. 95, and has appointed Senators Baldwin, Backus and Strickland a committee to confer with a like committee, which the House is respectfully asked to appoint, on the matter of difference between the two Houses.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

On motion of Mr. Howell,

The House adjourned until this evening at 7 o'clock.

## EVENING SESSION.

7 o'clock P. M.

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

The Speaker announced that the hour had arrived for the meeting of the joint convention.

Mr. Howell moved that a committee of two be appointed to

inform the Senate that the House were now in readiness to meet that body in joint convention;

Which motion prevailed.

; The Speaker appointed Messrs. Howell and Gregory, as such committee.

By unanimous consent, the committee on towns and counties made the following report :

The committee on towns and counties, to whom was referred  
A bill to organize the township of Groveland,

Direct me to report an amendment to the bill, by adding two new sections, and when so amended, recommend that it do pass, and ask to be discharged from the further consideration thereof.

J. B. WILSON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. J. B. Wilson,

The amendments made by the committee were concurred in, and the bill was placed on the order of third reading.

By unanimous consent, the committee on the judiciary submitted the following report :

/ The committee on the judiciary, to whom was referred House bill, entitled

A bill entitled an act to amend act 144, of the session laws of 1849, being an act to amend act No. 21, of session laws of 1858, it being an act to amend act No. 63, of session laws of 1857, entitled an act to lay out and establish a State road in the counties of Sanilac and Tuscola,

Respectfully report the same back to the House, and recommend that the same do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Childs,

The bill was placed on the order of third reading.

The committee appointed to wait upon the Senate, and inform that body that the House was now ready to meet them in joint convention, reported that they had discharged the duty

assigned them, and that the Senate would soon be in attendance.

The Sergeant-at-Arms soon thereafter announced the Honorable Senators, who were conducted to seats prepared for them.

PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by Hon. James Birney, Lieutenant Governor and President of the Senate.

The roll of the Senate was called by the Secretary of the Senate.

The roll of the House was called by the Clerk of the House.

A quorum of both Houses were present.

The President of the Senate announced that the joint convention had assembled to act upon certain appointments to be made by His Excellency, the Governor.

Senator Baldwin moved that a committee of two be appointed, consisting of one member of the House and one of the Senate, to wait upon His Excellency, the Governor, and inform him that the two Houses have assembled in joint convention, and were ready to receive any communication he may desire to make;

Which motion prevailed.

Senator Baldwin and Representative Phelps were appointed said committee.

After a short absence, the committee returned and reported that they had performed the duty assigned them, and that the Governor would immediately communicate with the joint convention in writing.

The Sergeant-at-Arms announced the private Secretary of the Governor, by whom the following message from His Excellency was communicated to the joint convention :

EXECUTIVE OFFICE,  
Lansing, March 12, 1861. }

*To the Joint Convention :*

I hereby nominate to the office of Adjutant General for this State, John Robertson.

I also nominate to the office of Trustee of the Michigan Asylum for the deaf, dumb and blind, Benjamin Pierson.

AUSTIN BLAIR.

Representative Howell offered the following:

*Resolved*, That the joint convention do advise and confirm the nomination of John Robertson, as Adjutant General, and Benjamin Pierson, as Trustee of the Michigan Asylum for the deaf, dumb and blind.

The Secretary of the Senate called the roll of the Senate, and a majority of all the Senators elect voted therefor, by yeas and nays, as follows:

## YEAS.

|              |             |             |
|--------------|-------------|-------------|
| Mr. Adair,   | Mr. DeLand, | Mr. Monroe, |
| Backus,      | French,     | Mulholland, |
| Bailey,      | Gale,       | Owen,       |
| Baker,       | Galloway,   | Strickland, |
| Baldwin,     | Green,      | Tower,      |
| Briggs,      | Hazen,      | Webb,       |
| Brown,       | Jones,      | Wilder,     |
| Butterfield, | Lacy,       | Williams,   |
| Carpenter,   | Lane,       | Withey,     |
| Coulter,     | McDermid,   |             |

29

## NAYS.

The Clerk of the House called the roll of the House, and a majority of all the members elect voted to confirm the nominations made by the Governor, as follows:

## YEAS.

|                |            |                |
|----------------|------------|----------------|
| Mr. Alexander, | Mr. Haire, | Mr. Read,      |
| Atwood,        | Henderson, | Sessions,      |
| Baker,         | Hemingway, | Shank,         |
| Beamer,        | Hill,      | Shanahan,      |
| Brownell,      | Hodges,    | Smith,         |
| Bunce,         | Hood,      | W. N. Stevens, |
| Chase,         | Howell,    | A. Stevens,    |
| Childs,        | Hurd,      | Stewart,       |
| Choate,        | Jones,     | Stoddard,      |
| Chapoton,      | Joy,       | Strong,        |
| Cooley,        | Kanouse,   | Taylor,        |
| Cox,           | Kelsey,    | Tibbits,       |
| Crego,         | Leetch,    | Toll,          |
| Cutcheon,      | Lockwood,  | Wade,          |
| A. W. Davis,   | Miller,    | Wallin,        |
| O. Davis,      | Morrison,  | Warner,        |
| Ira Davis,     | Moore,     | Waterbury,     |
| Douglas,       | Persons,   | Wetherby,      |

Fallass,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,

Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,  
Rankin,

Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

79

NAYS.

0

The President of the Senate announced that, a majority of the two Houses in joint convention assembled, having voted to confirm the nominations made by His Excellency, the Governor, they were confirmed.

On motion of Senator DeLand,

The joint convention adjourned *sine die*.

ED. W. BARBER,

*Clerk of the House of Representatives.*

A. B. TURNER,

*Secretary of the Senate,*

*and Secretaries of Joint Convention.*

The Senate then retired, and the House was called to order by the Speaker.

Roll called : quorum present.

Mr. Fallass moved to take from the table House bill, entitled

A bill to amend an act entitled an act to provide for laying out a State road in Ionia, Kent and Barry counties, approved February 12th, 1859, and to make an appropriation of swamp land to aid in the construction of said road;

Which motion prevailed.

On motion of Mr. Howell,

The bill was placed on the order of third reading.

By unanimous consent, the committee on the judiciary made the following report :

The committee on the judiciary, to whom was recommitted House bill, entitled

A bill to amend sections 11, 12, and 13, of chapter 22, of the

compiled laws relative to laying out and discontinuing public roads,

Respectfully report that they have had the said bill under consideration, and return the same to the House with the accompanying amendments, recommend that the amendments be concurred in, and that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

MESSAGES FROM THE SENATE

By unanimous consent the Speaker announced the following:

SENATE CHAMBER,

*Opening, March 12, 1861.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to re-transmit the following entitled bill:

A bill to amend an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, approved February 12, 1859, by adding thereto sections 13, 14, 15, 16, 17, 18, 19, 20 and 21,

And to inform the House that the Senate does not concur in the amendments made by the House thereto.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Warner moved that the House insist upon its amendments made to the bill;

Which motion prevailed

Mr. Warner moved that a committee of conference, to consist of three persons, be appointed on the part of the House to confer with a like committee on the part of the Senate, on the matter of difference between the two Houses on the above named bill;

Which motion prevailed.

The Speaker appointed Messrs Warner, Douglas and Hill as such committee.

Also the following :

SENATE CHAMBER,  
*Lansing, March 12, 1861.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following entitled bill :

A bill to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches,

To which the Senate has made sundry amendments, which are attached thereto,

In the passage of which, as amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate*

On motion of Mr. Howell,

The bill was referred to a select committee of five.

The Speaker appointed Messrs. Howell, Pratt, Haire, Tibbits and Cutcheon as such committee.

Also the following :

SENATE CHAMBER,  
*Lansing, March 12, 1861.* }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to re-transmit the following entitled bill:

A bill making appropriations for the support of the State Agricultural College, the State Board of Agriculture, and the State Agricultural Society,

Accompanied by the House substitute therefor, in which substitute the Senate has concurred, with amendments attached thereto; in which amendments the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

Mr. Joy moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|                |                |                |
|----------------|----------------|----------------|
| Mr. Alexander, | Mr. Hemingway, | Mr. Sessions,  |
| Atwood,        | Hill,          | Shank,         |
| Baker,         | Hodges,        | Shanahan,      |
| Beamer,        | Howell,        | Smith,         |
| Bunce,         | Hurd,          | W. N. Stevens, |
| Choate,        | Jones,         | A. Stevens,    |
| Chapoton,      | Joy,           | Stewart,       |
| Cooley,        | Kanouse,       | Stoddard,      |
| Orego,         | Kelsey,        | Taylor,        |
| Cutcheon,      | Leetch,        | Tibbits,       |
| A. W. Davis,   | Lockwood,      | Toll,          |
| O. Davis,      | Morrison,      | Wade,          |
| Douglas,       | Moore,         | Wallin,        |
| Fallass,       | Persons,       | Warner,        |
| Feote,         | Peters,        | Wetherby,      |
| Fowle,         | Peterson,      | Wheeler,       |
| Gilbert,       | Phelps,        | T. M. Wilson,  |
| Goodrich,      | Piper,         | J. B. Wilson,  |
| A. L. Green,   | Pratt,         | Woodman,       |
| N. K. Green,   | Pringle,       | Woodward,      |
| Hadley,        | Ramsdell,      | Wright,        |
| Haire,         | Rankin,        | Speaker,       |
| Henderson,     | Read,          |                |

68

## NAYS.

|             |           |             |
|-------------|-----------|-------------|
| Mr. Childs, | Mr. Hood, | Mr. Miller, |
| Cox,        |           |             |

4

The House then resumed business under the order of

## THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill, entitled

A bill entitled an act to amend act No. 144, of session laws of 1859, being an act to amend act No. 21, of session laws of 1858, it being an act to amend act No. 63, of session laws of 1857, entitled an act to lay out and establish a State road in the counties of Sanilac and Tuscola,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :



## YEAS.

|                |                  |                |
|----------------|------------------|----------------|
| Mr. Alexander, | Mr. N. K. Green, | Mr. Sessions,  |
| Baker,         | Hadley,          | Shanahan,      |
| Beamer,        | Haire,           | Smith,         |
| Brownell,      | Henderson,       | W. N. Stevens, |
| Bunce,         | Hill,            | A. Stevens,    |
| Chase,         | Hodges,          | Stewart,       |
| Childs,        | Hood,            | Taylor,        |
| Chapoton,      | Howell,          | Tibbits,       |
| Cooley,        | Hurd,            | Toll,          |
| Cox,           | Kanouse,         | Wade,          |
| Crego,         | Kelsey,          | Wallin,        |
| Cutcheon,      | Leetch,          | Warner,        |
| C. Davis,      | Lockwood,        | Waterbury,     |
| Ira Davis,     | Persens,         | Wetherby,      |
| Douglas,       | Peters,          | Wheeler,       |
| Fallase,       | Phelps,          | T. M. Wilson,  |
| Gilbert,       | Pratt,           | J. B. Wilson,  |
| Goodrich,      | Pringle,         | Woodman,       |
| Gregory,       | Ramsdell,        | Speaker,       |
| A. L. Green,   | Rankin,          |                |

59

## NAYS.

|                  |             |               |
|------------------|-------------|---------------|
| Mr. A. W. Davis, | Mr. Winans, | Mr. Woodward, |
| Piper,           |             |               |

4

Title agreed to.

House bill, entitled

A bill to amend an act entitled an act to provide for laying out a State road in Ionia, Kent and Barry counties, approved February 12th, 1859,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |               |                |
|----------------|---------------|----------------|
| Mr. Alexander, | Mr. Goodrich, | Mr. Ramsdell,  |
| Atwood,        | Gregory,      | Rankin,        |
| Baker,         | A. L. Green,  | Read,          |
| Beamer,        | N. K. Green,  | Sessions,      |
| Brownell,      | Hadley,       | Shanahan,      |
| Bunce,         | Henderson,    | Smith,         |
| Chase,         | Hill,         | W. N. Stevens, |
| Childs,        | Hodges,       | A. Stevens,    |
| Choate,        | Hood,         | Stewart,       |
| Chapoton,      | Howell,       | Stoddard,      |
| Cooley,        | Hurd,         | Strong,        |

Cox,  
Crego,  
Cutcheon,  
A. W. Davis,  
O. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Foote,  
Fowle,  
Gilbert,

Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Moore,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pringle,

Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
J. B. Wilson,  
Woodman,  
Wright,  
Speaker, 66

## NAYS.

Mr. Haire,  
Miller,

Mr. Winans,

Mr. Woodward,

4

Title agreed to.

On motion of Mr. Fallass,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Speaker called Mr. Howell to the chair.

House bill, entitled

A bill to amend sections 11, 12 and 13, of chapter 22, of the compiled laws, relative to laying out, altering or discontinuing public roads,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Alexander,  
Baker,  
Beamer,  
Browell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cooley,  
Crego,  
Cutcheon,  
A. W. Davis,  
O. Davis,  
Ira Davis,  
Douglas,  
Foote,

Mr. Hadley,  
Haire,  
Henderson,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Persons,  
Peterson,

Mr. Shanahan,  
Smith,  
W. N. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
J. B. Wilson,

Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,

Phelps,  
Piper,  
Pringle,  
Ramsdell,  
Rankin,  
Sessions,

Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

65

NAYS.

0

Title agreed to.

Senate bill No. 124, entitled

A bill to preserve the purity of elections,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Alexander,  
Atwood,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Cooley,  
Cox,  
Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,

Mr. Haire,  
Henderson,  
Hill,  
Hodges,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,  
Rankin,

Mr. Read,  
Sessions,  
Shank,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Taylor,  
Tibbits,  
Wade,  
Walkin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

70

NAYS

Mr. Choate,

Mr. Strong,

2

Title agreed to.

Senate bill No. 129, entitled

A bill relative to the letting of contracts by State officers, boards of control, inspectors or commissioners,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |            |               |
|----------------|------------|---------------|
| Mr. Alexander, | Mr. Haire, | Mr. Pringle,  |
| Baker,         | Henderson, | Ramsdell,     |
| Beamer,        | Hemingway, | Rankin,       |
| Bunce,         | Hill,      | Read,         |
| Chase,         | Hodges,    | Sessions,     |
| Childs,        | Hood,      | Shank,        |
| Choate,        | Howell,    | Smith,        |
| Cox,           | Hurd,      | Stewart,      |
| Crego,         | Joy,       | Stoddard,     |
| C. Davis,      | Kanouse,   | Strong,       |
| Ira Davis,     | Kelsey,    | Taylor,       |
| Douglas,       | Lockwood,  | Tibbits,      |
| Foots,         | Miller,    | Toll,         |
| Fowle,         | Moore,     | Waterbury,    |
| Gilbert,       | Persons,   | Wetherby,     |
| Goodrich,      | Peters,    | Wheeler,      |
| Gregory,       | Peterson,  | T. M. Wilson, |
| A. L. Green,   | Phelps,    | Wright,       |
| N. K. Green,   | Piper,     | 56            |

## NAYS.

|              |               |             |
|--------------|---------------|-------------|
| Mr. Atwood,  | Mr. Hadley,   | Mr. Winans, |
| Cooley,      | Wade,         | Woodward,   |
| A. W. Davis, | J. B. Wilson, | 8           |

Title agreed to.

On motion of Mr. Childs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 43, entitled

A bill to authorize and empower judges of probate to license executors, administrators and guardians to mortgage or otherwise pledge estate for the settlement of debts against the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |              |               |
|----------------|--------------|---------------|
| Mr. Alexander, | Mr. Gilbert, | Mr. Peterson, |
| Baker,         | Goodrich,    | Phelps,       |
| Beamer,        | A. L. Green, | Piper,        |
| Brownell,      | N. K. Green, | Pratt,        |

|            |            |           |
|------------|------------|-----------|
| Bunce,     | Hadley,    | Rankin,   |
| Chase,     | Haire,     | Read,     |
| Choate,    | Henderson, | Smith,    |
| Cooley,    | Hill,      | Stewart,  |
| Crego,     | Hodges,    | Strong,   |
| C. Davis,  | Hood,      | Taylor,   |
| Ira Davis, | Hurd,      | Tibbits,  |
| Douglas,   | Joy,       | Wetherby, |
| Feete,     | Kelsey,    | Wheeler,  |
| Fowle,     | Moore,     | Speaker,  |

42

## NAYS.

|              |                |               |
|--------------|----------------|---------------|
| Mr. Childs,  | Mr. Miller,    | Mr. Wallin,   |
| Cox,         | Ramsdell,      | Waterbury,    |
| A. W. Davis, | Sessions,      | J. B. Wilson, |
| Fallass,     | Shanahan,      | Winans,       |
| Gregory,     | W. N. Stevens, | Woodman,      |
| Howell,      | Stoddard,      | Woodward,     |
| Lockwood,    | Tell,          | Wright,       |

21

Title agreed to.

Senate bill No. 2, entitled

A bill to amend section 2581 of the compiled laws, being section 4 of an act entitled an act to provide for the collection of tolls, and for the care, charge and operating of the St. Mary's Falls Ship canal, approved February 12, 1855,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|              |              |                |
|--------------|--------------|----------------|
| Mr. Baker,   | Mr. Gregory, | Mr. Sessions,  |
| Beamer,      | A. L. Green, | Shank,         |
| Brownell,    | Hadley,      | Shanahan,      |
| Bunce,       | Haire,       | Smith,         |
| Chase,       | Henderson,   | W. N. Stevens, |
| Childs,      | Hood,        | A. Stevens,    |
| Choate,      | Hurd,        | Stewart,       |
| Cooley,      | Joy,         | Stoddard,      |
| Crego,       | Lockwood,    | Strong,        |
| A. W. Davis, | Peters,      | Tibbits,       |
| C. Davis,    | Peterson,    | Toll,          |
| Ira Davis,   | Phelps,      | Wade,          |
| Foote,       | Piper,       | Waterbury,     |
| Fowle,       | Pringle,     | Woodward,      |
| Gilbert,     | Rankin,      | Wright,        |
| Goodrich,    | Read,        |                |

41

## NAYS.

Mr. Alexander,  
Hemingway,  
Hill,  
Hodges,  
Howell,

Mr. Moore,  
Pratt,  
Ramsdell,  
Taylor,  
Wallin,

Mr. Warner,  
Wheeler,  
Winans,  
Woodman,

14

Title agreed to.

Senate bill, entitled

A bill to vacate a part of the village plat of South Haven, in Van Buren county,

Being under consideration,

On motion of Mr. Lockwood,

The bill was laid on the table.

Senate bill No. 31, entitled

A bill to amend section 13 of an act to provide for holding general and special elections, approved June 27, 1851, relative to the fees of county clerks and district canvassers,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,  
Atwood,  
Beamer,  
Brownell  
Bunce,  
Chase,  
Choate,  
Crego,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,

Mr. Hemingway,  
Hill,  
Hodges,  
Hurd,  
Kanouse,  
Kelsey,  
Lockwood,  
Miller,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Rankin,  
Read,  
Sessions,  
Shank,  
Shanahan,

Mr. Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
J. B. Wilson,  
Winans,  
Woodward,  
Wright,  
Speaker,

62

## NAYS.

Mr. Cox,

1

Title agreed to.

Senate bill No. 73, entitled

A bill to amend an act entitled an act relative to State prison, approved February 12, 1859, being sections 6231 and 6233, of the compiled laws,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows :

## NAYS.

Mr. Alexander,

Mr. Hadley,

Mr. Sessions,

Atwood,

Haire,

Shank,

Beamer,

Henderson,

Shanahan,

Brownell,

Hemingway,

Smith,

Bunce,

Hill,

W. N. Stevens,

Chase,

Hodges,

A. Stevens,

Childs,

Howell,

Stewart,

Choate,

Hurd,

Stoddard,

Crego,

Joy,

Strong,

Cutcheon

Kanouze,

Tylor,

A. W. Davis,

Kelsey

Tibbits,

C. Davis,

Miller.

Wade,

Ira Davis,

Moore,

Wallin,

Douglas,

Persons,

Warner,

Fallass,

Peters,

Waterbury,

Foote,

Peterson,

Wheeler,

Fowle,

Phelps,

J. B. Wilson,

Gilbert,

Piper,

Winans,

Goodrich,

Pratt,

Woodman,

Gregory,

Pringle,

Wright,

A. L. Green,

Read,

Speaker,

N. K. Green,

64

## NAYS.

0

Title agreed to.

On motion of Mr. Pringle,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Sessions moved that the House adjourn;

Which motion did not prevail.

Mr. Sessions moved that the committee on ways and means

be excused from further attendance during the session of the House this evening;

Which motion did not prevail.

On motion of Mr. Toll,

The House adjourned until to-morrow morning at 9 o'clock.

---

*Lansing, Wednesday, March 13, 1861.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. —.

Roll called: quorum present.

PETITIONS PRESENTED.

By Mr. Miller: petition of R. S. Varman, Henry Packer, J. G. Gardner and others, for the repeal of the salt bounty law;

Laid on the table.

REPORTS OF STANDING COMMITTEES.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend chapters 58 and 128 of the revised statutes of 1846, in regard to the disposition of fines, forfeitures and recognizances;

Also, House bill, entitled

A bill to extend the time for the collection of taxes in certain townships in Genesee county,

Respectfully report that they have had said bills under consideration, report them back with the recommendation that they do not pass, and ask to be discharged from the further consideration of the same.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bills were laid on the table.

By the committee on the judiciary:



The committee on the judiciary, to whom was referred the following entitled House bills:

A bill to re-establish section 5, of chapter 6, title 3, of the compiled laws, in relation to calling special elections by the board of supervisors;

A bill to amend sections 2, 3, 4, 6, 7, 8, 12 and 16, of an act to repeal chapter 25 of the revised statutes of 1846;

A bill to amend section 12, of chapter 47, of the compiled laws, relative to lost goods and stray beasts;

Report that they find said bills enacting clauses merely; they therefore recommend that they be laid upon the table, and ask to be discharged from the further consideration thereof.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pringle,

The several bills were laid on the table.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill, entitled

A bill to make appropriations for removing the east wall, and building work shops at the State Prison,

Respectfully report that the bill appropriates the sum of fifteen thousand dollars for those purposes, as follows, viz: to remove the east wall three hundred feet east, and extend the same to the north wall, eight thousand dollars; for building work shop, seven thousand dollars. That those things are necessary to be done, seems quite evident. The committee, however, do not see the necessity of the appropriation which the bill provides for, to perform the same.

There was appropriated at the last session of the legislature, the sum of twenty-seven thousand five hundred dollars, to be expended in improvements at the prison. Of this large sum of money, there remains an undrawn balance in the treasury of fourteen thousand five hundred dollars.

The condition of the finances of the prison itself, is thus stated in the report of the agent to the inspectors, at the close

of the last fiscal year. The indebtedness of the prison to sundry individuals amounts to \$9,212 64 ; and the amount due to the prison from the contractors is \$18,495 97. The report then remarks that these amounts are seemingly large, but are principally accounted for from the depreciated value of western currency. Most of the contractors receive no other but western money for their manufactures, which we have for some time refused to take at par, except on small accounts ; consequently they have not paid us, and we have not paid our debts. It is remarked, also, that the debt of the prison is in no part made up by purchases of winter supplies, and advances to beef contractors. It is quite clear that unusual credit has been extended to creditors on account of the deranged state of the western currency, and that the amount due the prison from the contractors, which may be realized within a short period, is more than enough to pay every dollar of the debt of the prison, and leave still \$9,000 then due to it from contractors, and also the whole of the unexpended appropriation of last year, amounting, as above stated, to \$14,000 ; and both sums together amount to \$23,500. There is probably a current usual balance due from the contractors of \$6,000 or \$7,000 ; but even then, there is at the control of the managers of the prison \$16,000 or \$17,500, with which to prosecute the necessary improvements, which, with a not unusual use of credit, will give all the fund, amounting from twenty-seven to thirty thousand dollars, which may be essential for all necessary enlargement of the yard, and the improvements, in the opinion of the committee.

At least, so far as they can judge, and upon tolerably careful inquiry, there exists no such necessity for appropriations in that direction, as will justify the Legislature at the present session, in adding to the taxes already, for other and more pressing necessities, in order to make them.

They have no hesitancy, therefore, in recommending that the bill do not pass, and ask to be discharged.

JAMES F. JOY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pringle,  
The bill was laid on the table.

By the committee on ways and means:

The committee on ways and means, to whom was referred  
House bill, entitled

A bill to amend section 78, chapter 17, of the compiled laws,  
relating to the collection of taxes,

Would respectfully report that they have had the same under  
consideration, and have instructed me to say that the amend-  
ment made would only create additional expense at the tax  
sales, but would be productive of no other good result, and  
therefore they recommend that it do not pass.

J. F. JOY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Gregory,  
The bill was laid on the table.

By the committee on ways and means:

The committee on ways and means, to whom was referred  
Senate bill, entitled

A bill to amend an act entitled an act to provide for a mili-  
tary fund in aid of the uniformed volunteer militia, approved  
February 14, 1859,

Have considered the same and have instructed me to report,  
that the fund to be raised is to be divided among such volun-  
teer uniform companies as may be entitled thereto, under the  
act of 1859, above mentioned, not exceeding forty companies  
in all, for the purpose therein specified, being to provide armo-  
ries, accoutrements, pay expense of cleaning arms, &c., &c.  
The above named act provided for the appropriation of three  
thousand dollars per annum, and of the general fund in the  
treasury, to be divided among the said companies. The bill re-  
ferred to the committee provides, during this year, that five  
thousand dollars shall be so appropriated, and also for levying  
and collecting upon all the taxable property of the State there-  
for, annually, a tax of one-tenth of one mill on the dollar, which,  
upon a valuation of one hundred and sixty millions for the

State, will produce annually about \$16,000, and hereafter more than that sum, which, divided among the forty companies, would be nearly \$400 to each company. The committee do not think that a tax to that amount expedient in addition to all other taxes, which for several years must be levied and collected from the people; neither do they think that such an amount of money divided among these companies would be productive of good, commensurate with this expense to the people. It may be expedient to furnish small amounts to each company for a time, to defray its necessary incidental expenses in some part, but not beyond that necessity; and especially in the present condition of the treasury, do they deem it inexpedient to increase the amounts of any demands upon it beyond what the most absolute necessity requires. When the State is compelled to rely upon the credit and pecuniary responsibility of its Treasurer to a very considerable extent for money, it is both unjust to him and inexpedient in every way to add to appropriations from a fund already exhausted, and which for the present is or must be sustained by him from private means, and must ultimately be replenished by heavy taxation upon the people.

While the committee therefore unanimously approve the appropriations already made of \$3,000 a year for the present, they cannot approve any increase of that amount the present year; nor can they recommend so large a sum to be raised by taxation during this and the next years, as is provided for in the bill. For the present they recommend that only one-fortieth instead of one-tenth of one mill be levied and collected for this purpose, leaving it for subsequent legislatures, and when the embarrassments of the State shall have been cleared away, to add thereto if it shall be deemed expedient. They therefore recommend that the three thousand dollars provided by the act of 1859, continue to be applied for the purposes specified in that act; that there be also levied and collected a tax of one-fortieth of a mill on the dollar for the years 1861 and 1862, in the manner provided in the bill referred to them.

They have, accordingly, proposed amendments to the bill

with this view, which are herewith submitted, and when the bill be so amended they recommend that it do pass.

JAMES F. JOY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Gregory,

The House concurred in the amendments made by the committee.

On motion of Mr. Leetch,

The bill was placed on its final passage.

Mr. Childs moved to recommit the bill to the committee on ways and means, with instructions to strike out "three," in line 1, section 1, and insert "six."

Mr. Childs demanded the yeas and nays;

The demand was seconded, and the motion to recommit did not prevail, by yeas and nays, as follows :

#### YEAS.

|              |           |               |
|--------------|-----------|---------------|
| Mr. Beamer,  | Mr. Hill, | Mr. Shank     |
| Childs,      | Leetch,   | Taylor,       |
| A. W. Davis, | Peterson, | Wallin,       |
| C. Davis,    | Phelps,   | J. B. Wilson, |
| Gregory,     | Pringle,  | Woodman,      |
| Henderson,   | Rankin,   | Woodward, 18  |

#### NAYS.

|                |                  |                |
|----------------|------------------|----------------|
| Mr. Alexander, | Mr. N. K. Green, | Mr. Sessions,  |
| Baker,         | Hadley,          | Shanahan,      |
| Blackslee,     | Haire,           | Smith,         |
| Brownell,      | Hemingway,       | W. N. Stevens, |
| Bunce,         | Hodges,          | A. Stevens,    |
| Chase,         | Hood,            | Stewart,       |
| Choate,        | Hurd,            | Stoddard,      |
| Cooley,        | Joy,             | Strong,        |
| Cox,           | Kanouse,         | Tibbits,       |
| Crego,         | Kelsey,          | Toll,          |
| Outcheon,      | Lockwood,        | Wade,          |
| Ira Davis,     | Miller,          | Waterbury,     |
| Douglas,       | Moore,           | Wetherby,      |
| Follett,       | Peters,          | Wheeler,       |
| Foote,         | Piper,           | Winans,        |
| Gilbert,       | Pratt,           | Wright,        |
| Goodrich,      | Ramsdell,        | Speaker,       |
| A. L. Green,   | Read,            |                |

The bill was then read a third time, by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|               |           |                |
|---------------|-----------|----------------|
| Mr. Alexander | Mr. Hood, | Mr. Read,      |
| Baker,        | Howell,   | Sessions,      |
| Beamer,       | Hurd,     | Shank,         |
| Bunce,        | Jones,    | Shanahan.      |
| Chase,        | Joy,      | Smith,         |
| Childs,       | Kanouse,  | W. N. Stevens, |
| Cox,          | Kelsey,   | Stewart,       |
| Crego,        | Leetch,   | Stoddard,      |
| Cutcheon,     | Lockwood, | Taylor,        |
| A. W. Davis,  | Miller,   | Tibbits,       |
| O. Davis,     | Morrison, | Wallin,        |
| Ira Davis,    | Moore,    | Warner,        |
| Fallass,      | Persons,  | Waterbury,     |
| Follett,      | Peters,   | Wetherby,      |
| Gregory,      | Peterson, | Wheeler,       |
| A. L. Green,  | Phelps,   | J. B. Wilson,  |
| N. K. Green,  | Piper,    | Woodman,       |
| Haire,        | Pratt,    | Woodward,      |
| Henderson,    | Pringle,  | Wright,        |
| Hill,         | Ramdell,  | Speaker,       |
| Hodges,       | Rankin,   |                |

62

## NAYS.

|               |            |           |
|---------------|------------|-----------|
| Mr. Brownell, | Mr. Foote, | Mr. Toll, |
| Choate,       | Gilbert,   | Wade,     |
| Cooley,       | Hadley,    | Winans,   |
| Douglas,      | Strong,    |           |

11

Title agreed to.

On motion of Mr. Childs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on ways and means :

The committee on ways and means, to whom was referred Senate joint resolution authorizing the Commissioner of the Land Office to issue certificates of certain lands to Malcolm D. Carr and Darwin D. Carr, have considered the same, and recommend its passage.

JAMES F. JOY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Joy,

The joint resolution was placed on its final passage.

The joint resolution was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|                |             |                |
|----------------|-------------|----------------|
| Mr. Alexander, | Mr. Hadley, | Mr. Rankin,    |
| Atwood,        | Haire,      | Read,          |
| Beamer,        | Henderson,  | Sessions,      |
| Blakeslee,     | Hemingway,  | Shanahan,      |
| Brownell,      | Hill,       | Smith,         |
| Bunce,         | Hodges,     | W. N. Stevens, |
| Chase,         | Hood,       | A. Stevens,    |
| Childs,        | Howell,     | Stewart,       |
| Choate,        | Hurd,       | Stoddard,      |
| Chapoton,      | Jones,      | Stron ..       |
| Cooley,        | Kanouse,    | Taylor,        |
| Cox,           | Kelsey,     | Tibbits,       |
| Crego,         | Leetch,     | Toll,          |
| Cutcheon,      | Lockwood,   | Wade,          |
| C. Davis,      | Miller,     | Wallin,        |
| Ira Davis,     | Morrison,   | Warner,        |
| Douglas,       | Moore,      | Waterbury,     |
| Pallasa,       | Persons,    | Wetherby,      |
| Follett,       | Peters,     | T. M. Wilson,  |
| Foote,         | Peterson,   | J. B. Wilson,  |
| Fowle,         | Phelps,     | Winans,        |
| Gilbert,       | Piper,      | Woodman,       |
| Goodrich,      | Pratt,      | Woodward,      |
| Gregory,       | Fringle,    | Wright,        |
| A. L. Green,   | Ramsdell,   | Speaker,       |
| N. K. Green,   |             |                |

76

## NAYS.

0

Title and preamble agreed to.

On motion of Mr. Tibbits,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

By the committee on ways and means :

The committee on ways and means, to whom was referred

Joint resolution in relation to postage paid by members of the Senate and House of Representatives,

Respectfully report that section 16, of article 4, of the Constitution, provides that the legislature may, by law, provide for the payment of all the postage on letters received by members, and in that case only ; and that in their judgment there are two good reasons why the resolution ought not to pass.

First, the members have paid no such postage ; and second, the legislature has not provided by law for its payment ; and therefore your committee recommend that the resolution do not pass.

JAMES F. JOY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Howell,

The joint resolution was laid on the table.

By the committee on engrossment and enrollment :

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following entitled bills:

A bill to provide for the formation of companies to construct canals or harbors and improve the same;

Also,

A bill relative to interest on contracts between citizens of this State and other States and countries, or payable elsewhere than in this State;

Also,

A bill to prevent the adulteration of coal oils;

Also,

A bill to amend an act entitled an act to incorporate the city of Lansing, approved February 15, 1859.

A. L. GREEN, *Chairman*.

Report accepted.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures, to whom was referred

A bill to amend an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved February 17, 1857,

Would respectfully report that they have had the same un-



der consideration, and as the objects of the bill have already been attained by the passage of another bill, have instructed me to report the bill back to the House and recommend that it do not pass, and ask to be discharged from the further consideration thereof.

**JAMES WEBSTER CHILDS, *Chairman.***

Report accepted and committee discharged.

On motion of Mr. Childs,

The bill was laid on the table.

By the committee on printing:

The committee on printing, would respectfully report, for the information of the House, the accompanying communication from Mr. John Roost, of Holland, in relation to copies of the Governors' messages ordered to be translated and printed in the Holland language.

**F. H. RANKIN, *Chairman.***

Report accepted and committee discharged.

On motion of Mr. Howell,

The communication was laid on the table.

By the judiciary committee :

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to regulate the payment of entry fees in certain cases,

Respectfully report that the House has passed a bill on the same subject, possessing much greater merit than the one under consideration. They therefore recommend that the said bill do not pass, and ask to be discharged from the further consideration of the subject.

**THOS. W. LOCKWOOD, *Chairman.***

Report accepted and committee discharged.

On motion of Mr. A. L. Green,

The bill was laid on the table.

#### REPORTS OF SELECT COMMITTEES.

The select committee, to whom was referred House bill, entitled

A bill to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches,

Respectfully report that they have had the same under consideration, and report that they recommend the House to concur in Senate amendment to sub-division 1st, with an amendment; also, to concur in Senate amendment 2d, with an amendment. To non-concur in Senate amendment striking out paragraph 4th, being the Englishville and Croton State road; but to concur in the amendment establishing the Grand Rapids and Big Rapids State road. To amend amendment 5th of Senate amendment, by establishing the Portage River State road, and to concur in all the other amendments made by the Senate to said bill.

W. T. HOWELL, *Chairman.*

Report accepted and committee discharged.

Mr. Pratt moved that the House concur in the amendments made by the committee;

Mr. Lockwood called for a division of the question, excepting the roads in Wayne and Lenawee counties.

The motion to concur, in the amendments, with the above exceptions, prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Baker,  
Beamer,  
Blakeslee,  
Bunce,  
Chapoton,  
Cox,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Goodrich,  
A. L. Green,  
Hadley,  
Haire,  
Hemingway,

Mr. Hill,  
Hodges,  
Hood,  
Howell,  
Joy,  
Kanouse,  
Leetch,  
Lockwood,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Pratt,  
Pringle,  
Ramsdell,

Mr. Rankin,  
Shanahan,  
Smith,  
A. Stevens,  
Stoddard,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Warner,  
Waterbury,  
T. M. Wilson,  
J. B. Wilson,  
Wright,  
Speaker,

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#### NAYS.

Mr. Alexander,  
Atwood,

Mr. Fowle,  
Gilbert,

Mr. Sessions,  
Shank,

Brownell,  
Chase,  
Childs,  
Choate,  
Cooley,  
Crego,  
Cutcheon,  
Follett,  
Foote,

Gregory,  
N. K. Green,  
Henderson,  
Hurd,  
Jones,  
Miller,  
Morrison,  
Piper,  
Read,

W. N. Stevens,  
Stewart,  
Wallin,  
Wetherby,  
Wheeler,  
Winans,  
Woodman,  
Woodward,

32

The question recurring upon the amendment made to the bill by the Senate whereby a road was authorized in Lenawee and Monroe counties, the amendment was concurred in, by yeas and nays, as follows:

## YEAS.

Mr. Beamer,  
Blakeslee,  
Bunce,  
Chapoton,  
Cox,  
Crego,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Goodrich,  
N. K. Green,  
Haire,  
Hemingway,  
Hill,

Mr. Hodges,  
Hood,  
Howell,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,

Mr. Pringle,  
Ramsdell,  
Rankin,  
Shanahan,  
Smith,  
A. Stevens,  
Stoddard,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Warner,  
Waterbury,  
J. B. Wilson,  
Wright, 45.

## NAYS.

Mr. Alexander,  
Atwood,  
Baber,  
Brownell,  
Chase,  
Childs,  
Choate,  
Cooley,  
Cutcheon,  
Follett,  
Foote,  
Gilbert,

Mr. Gregory,  
A. L. Green,  
Hadley,  
Henderson,  
Hurd,  
Jones,  
Miller,  
Morrison,  
Read,  
Sessions,  
Shank,

Mr. W. N. Stevens,  
Stewart,  
Strong,  
Wallin,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
Winans,  
Woodman,  
Woodward,  
Speaker, 24

The amendments made to the bill by the Senate, authorizing

a road in Wayne county, was not concurred in, by yeas and nays, as follows :

## YEAS.

|              |             |               |
|--------------|-------------|---------------|
| Mr. Beamer,  | Mr. Howell, | Mr. Rankin,   |
| Blakeslee,   | Kanouse,    | Smith,        |
| Chapoton,    | Kelsey,     | A. Stevens,   |
| A. W. Davis, | Leetch,     | Stoddard,     |
| C. Davis,    | Moore,      | Taylor,       |
| Douglas,     | Peters,     | Tibbits,      |
| N. K. Green, | Peterson,   | Toll,         |
| Haire,       | Phelps,     | Wade,         |
| Hemingway,   | Piper,      | Warner,       |
| Hill,        | Pratt,      | Waterbury,    |
| Hodges,      | Pringle,    | J. B. Wilson, |
| Hood,        | Ramsdell,   | Wright, 36    |

## NAYS.

|                |            |                |
|----------------|------------|----------------|
| Mr. Alexander, | Mr. Fowle, | Mr. Shank,     |
| Atwood,        | Gilbert,   | Shanahan,      |
| Baker,         | Gregory,   | W. N. Stevens, |
| Brownell,      | Hadley,    | Stewart,       |
| Chase,         | Henderson, | Strong,        |
| Childs,        | Hurd,      | Wallin,        |
| Choate,        | Jones,     | Wetherby,      |
| Cooley,        | Joy,       | Wheeler,       |
| Cox,           | Lockwood,  | T. M. Wilson,  |
| Cutcheon,      | Miller,    | Winans,        |
| Ira Davis,     | Morrison,  | Woodman,       |
| Follett,       | Read,      | Woodward, 38   |
| Foote,         | Sessions,  |                |

The joint committee appointed to confer upon the matter of difference between the two Houses on Senate bill No. 72, being

A bill to amend an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, approved February 12, 1859, by adding thereto sections 13, 14, 15, 16, 17, 18, 19, 20 and 21,

Have duly considered the same, and unanimously recommend that the two Houses adopt the following :

Strike out paragraph 4, in section 1. Amend paragraph 5, by striking out all after the word "thence," in the 17th line, and insert "to the eastern boundary line of Ontonagon county, to be known as the Mineral Range State road."

Amend paragraph 7 of House amendments, by striking out after the word "to," to the word "the," in line 24th, before "harbor;" and in line 25th, strike out "Marquette," and insert "Grand Island."

Strike out paragraphs 9, 10 and 12, as contained in House amendments.

Section 15, line 5—strike out the word "may," and insert "shall."

Section 18—amend by inserting after the word "the," in the 8th line, "counties through or into which the road passes."

At the end of section 20, as amended by the House, add "Ontonagon and State Line road."

Your committee ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

EZRA HAZEN,

*Chairman Senate Joint Committee.*

EBENEZER WARNER,

*Chairman House Joint Committee.*

The House concurred in the action of the committee on conference, by yeas and nays, as follows :

YEAS.

Mr. Alexander,  
Atwood,  
Baker,  
Beamer,  
Blakeslee,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cox,  
Crego,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Foote,  
Fowle,

Mr. Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Kanouse,  
Kelsey,  
Leetch,  
Moore,  
Persons,  
Peters,  
Phelps,  
Piper,

Mr. Rankin,  
Read,  
Shanahan,  
Smith,  
A. Stevens,  
Stewart,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
T. M. Wilson,  
J. B. Wilson,  
Woodman,

Goodrich,  
A. L. Green,

Pratt,  
Pringle,

Wright,  
Speaker, 57

## NAYS.

Mr. Follett,  
Gilbert,

Mr. Jones,

Mr. Joy,

4

## MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bill :

A bill to organize the county of Bleecker,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following:

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bills;

1. A bill to amend certain sections of the primary school laws;
2. A bill to repeal act number 70, of the session laws of 1855, being an act entitled "an act to establish teachers' institutes, approved February 10, 1855;"

Which have passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on education.

The second named bill was read a first and second time by its title, and referred to the committee on education.

Also the following :

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives:*

SIR :—I am instructed by the Senate to re-transmit the following:

A bill to amend an act entitled an act to provide a military fund in aid of the uniformed volunteer militia, approved February 14, 1859,

And to inform the House that the Senate does not concur in the amendments made by the House thereto.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Pringle moved that the House recede from its amendments to the bill.

Mr. Kelsey demanded the previous question.

The demand was seconded, and the main question ordered.

The motion to recede did not prevail, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Beamer,  
Childs,  
A. W. Davis,  
C. Davis,  
Fowle,  
Gregory,  
Henderson,

Mr. Hill,  
Leetch,  
Persons,  
Peterson,  
Phelps,  
Pringle,  
Rankin,

Mr. Shank,  
Smith,  
Stoddard,  
Taylor,  
Wallin,  
Woodward,

20

#### NAYS.

Mr. Alexander,  
Atwood,  
Baker,  
Blakeslee,

18b

Mr. Goodrich,  
A. L. Green,  
N. K. Green,  
Hadley,

Mr. Read,  
Sessions,  
W. N. Stevens,  
Stewart,

|           |           |               |
|-----------|-----------|---------------|
| Brownell, | Haire,    | Strong,       |
| Bunce,    | Hodges,   | Tibbits,      |
| Chase,    | Hood,     | Toll,         |
| Choate,   | Hurd,     | Wade,         |
| Chapoton, | Jones,    | Waterbury,    |
| Cooley,   | Joy,      | Wetherby,     |
| Crego,    | Kanouse,  | Wheeler,      |
| Cutcheon, | Kelsey,   | T. M. Wilson, |
| Douglas,  | Lockwood, | Winans,       |
| Fallass,  | Miller,   | Woodman,      |
| Follett,  | Peters,   | Wright,       |
| Footte,   | Piper,    | Speaker,      |
| Gilbert,  |           |               |

49

Mr. Sessions moved that the House insist upon its amendments to the bill ;

Which motion prevailed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|                |             |                    |
|----------------|-------------|--------------------|
| Mr. Alexander, | Mr. Hadley, | Mr. W. N. Stevens, |
| Atwood,        | Haire,      | A. Stevens,        |
| Baker,         | Hemingway,  | Stewart,           |
| Blakeslee,     | Hodges,     | Stoddard,          |
| Brownell,      | Hood,       | Strong,            |
| Bunce,         | Hurd,       | Taylor,            |
| Chase,         | Jones,      | Tibbits,           |
| Choate,        | Joy,        | Toll,              |
| Chapoton,      | Kanouse,    | Wade,              |
| Cooley,        | Kelsey,     | Waterbury,         |
| Crego,         | Leetch,     | Wetherby,          |
| Douglas,       | Lockwood,   | Wheeler,           |
| Fallass,       | Miller,     | T. M. Wilson,      |
| Follett,       | Moore,      | J. B. Wilson,      |
| Footte,        | Peters,     | Winans,            |
| Gilbert,       | Piper,      | Woodman,           |
| Goodrich,      | Read,       | Wright,            |
| A. L. Green,   | Sessions,   | Speaker,           |
| N. K. Green,   |             |                    |

55

## NAYS.

|              |            |              |
|--------------|------------|--------------|
| Mr. Beamer,  | Mr. Fowle, | Mr. Pringle, |
| Childs,      | Gregory,   | Shank,       |
| Cutcheon,    | Henderson, | Wallin,      |
| A. W. Davis, | Morrison,  | Warner,      |
| O. Davis,    | Persons,   |              |

16

Mr. Joy moved that a committee of three be appointed to



confer with a like committee, on the part of the Senate, relative to the disagreement of the Houses upon the above named bill;

Which motion prevailed.

The Speaker appointed Messrs. Joy, C. Davis and Foote, said committee.

Also the following:

SENATE CHAMBER,  
Lansing, March 12, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to transmit the following entitled bills :

1. A bill to grant 25,000 acres of swamp land to the German American Seminary, of the city of Detroit;

2. A bill to authorize the Auditor General to vacate and set aside certain tax sales and deeds thereon;

3. A bill to amend section 12, of chapter 23, of compiled laws, relative to the obstruction of the navigation of rivers and streams declared public highways;

Which have passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first named bill was read a first and second time, by its title, and referred to the committee on education.

The second named bill was read a first and second time, by its title, and referred to the committee on the judiciary.

The third named bill was read a first and second time, by its title, and referred to the committee on judiciary.

Also the following:

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bill :

A bill to provide for the drainage and reclamation of swamp lands by means of State roads and ditches,

And to inform the House that the Senate has concurred in the action of the House thereon.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Also the following :

SENATE CHAMBER, }  
*Lansing, March 13, 1861.* }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved* (by the Senate, the House concurring,) That a sufficient number of copies of the act passed at this session, relative to laying out and discontinuing highways, to supply one such copy to each township clerk and board of commissioners of highways in this State, be published in pamphlet form with all possible dispatch, and transmitted to the county clerks of the several counties, and by them to the several township clerks of such counties;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

On motion of Mr. Sessions,

The House concurred in the adoption of the resolution.

Also the following :

SENATE CHAMBER, }  
*Lansing, March 12, 1861.* }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to transmit the following concurrent resolution :

*Resolved*, (the House concurring,) That Aaron B. Turner, Secretary of the Senate, and Edward W. Barber, Clerk of the House of Representatives, be and they are hereby authorized

and requested to compile and prepare for publication, and make indexes and superintend the publication of the journals and documents of the present legislature; and when completed and certified to by the Secretary of State, they shall be entitled to and receive, for said services, each, the sum of three hundred dollars;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

On motion of Mr. Joy,

The House concurred in the adoption of the resolution.

Also the following:

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bills:

1. A bill to provide for laying out, establishing and improving a road from Muskegon river to the north line of Mason county;

2. Senate bill No. 110, entitled

A bill granting swamp land to the county of Genesee, to aid in cutting drains through a certain swamp in said county;

3. Senate bill, entitled

A bill to enlarge union school district No. 2, in Pontiac, Oakland county;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on roads and bridges.

The second named bill was read a first and second time by its title, and referred to the committee on public lands.

The third named bill was read a first and second time by its title, and referred to the committee on education.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Senate joint resolution No. 4, entitled

Joint resolution to provide for an amendment to the constitution relative to removals from office,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|                |                  |                |
|----------------|------------------|----------------|
| Mr. Alexander, | Mr. N. K. Green, | Mr. Sessions,  |
| Baker,         | Hadley,          | Shanahan,      |
| Beamer,        | Haire,           | Smith,         |
| Blakeslee,     | Henderson,       | W. N. Stevens, |
| Brownell,      | Hemingway,       | A. Stevens,    |
| Bunce,         | Hill,            | Stewart,       |
| Chase,         | Hodges,          | Stoddard,      |
| Childs,        | Hood,            | Strong,        |
| Choate,        | Hurd,            | Taylor,        |
| Chapoton,      | Jones,           | Tibbits,       |
| Cooley,        | Joy,             | Wade,          |
| Cox,           | Kanouse,         | Wallin,        |
| Crego,         | Kelsey,          | Warner,        |
| A. W. Davis,   | Leetch,          | Waterbury,     |
| C. Davis,      | Lockwood,        | Wetherby,      |
| Ira Davis,     | Moore,           | Wheeler,       |
| Douglas,       | Persons,         | T. M. Wilson,  |
| Fallass,       | Peters,          | Winans,        |
| Foote,         | Peterson,        | Woodman,       |
| Fowle,         | Piper,           | Woodward,      |
| Gilbert,       | Pringle,         | Wright,        |
| Goodrich,      | Rankin,          | Speaker,       |
| Gregory,       |                  |                |

67

NAYS.

0

Title agreed to.

The following is the joint resolution :

JOINT RESOLUTION to provide for an amendment to the Constitution relative to removals from office.

*Resolved by the Senate and House of Representatives of the State of Michigan, That the following amendment to the Consti-*

tution of this State be and the same is hereby proposed to stand as section eight of article twelve :

The Governor shall have power and it shall be his duty, except at such times as the Legislature may be in session, to examine into the condition and administration of any public office and the acts of any public officer, elective or appointed, to remove from office for gross neglect of duty, or for corrupt conduct in office, or any other misfeasance or malfeasance therein, either of the following State officers, to wit :

The Attorney General, State Treasurer, Commissioner of Land Office, Secretary of State, Auditor General, Superintendent of Public Instruction, or members of the State Board of Education, or any other officer of the State, except Legislative and Judicial, elective or appointed, and to appoint a successor for the remainder of their respective non-expired term of office, and report the causes of such removal to the Legislature at its next session.

Said amendment shall be submitted to the people of this State, at the next general election, and the Secretary of State is hereby required to give notice of the same to the sheriffs of the several counties in this State, in the same manner that he is now by law required to do, in case of an election of Governor, and Lieutenant Governor, and the inspectors of elections in the several towns and cities in this State, shall prepare a suitable box for the reception of ballots cast to and for said amendment. Each person voting for said amendment, shall have written or printed on his ballot, the words "amendment relative to removals from office, yes;" and each person voting against it, the words "amendment relative to removals from office, no."

The ballots shall, in all respects, be canvassed, and returns be made as in elections of Governor and Lieutenant Governor.

Senate bill No. 56, entitled

A bill to amend sections 1, 2, 3, 4, 6 and 7 of an act entitled an act to incorporate the fire department of the city of Detroit, approved February 14, 1840, and an act amendatory thereto, approved January 14, 1859,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|                |                  |                |
|----------------|------------------|----------------|
| Mr. Alexander, | Mr. N. K. Green, | Mr. Read,      |
| Baker,         | Hadley,          | Sessions,      |
| Beamer,        | Haire,           | Shanahan,      |
| Blakeslee,     | Henderson,       | Smith,         |
| Brownell,      | Hemingway,       | W. N. Stevens, |
| Chase,         | Hill,            | A. Stevens,    |
| Childs,        | Hodges,          | Stewart,       |
| Choate,        | Hood,            | Stoddard,      |
| Cooley,        | Hurd,            | Strong,        |
| Cox,           | Joy,             | Tibbits,       |
| Crego,         | Kanouse,         | Wade,          |
| C. Davis,      | Kelsey,          | Wallin,        |
| Ira Davis,     | Leetch,          | Warner,        |
| Douglas,       | Lockwood,        | Waterbury,     |
| Follett,       | Moore,           | Wheeler,       |
| Foote,         | Peters,          | T. M. Wilson,  |
| Fowle,         | Peterson,        | Winans,        |
| Gilbert,       | Phelps,          | Woodman,       |
| Goodrich,      | Piper,           | Woodward,      |
| Gregory,       | Pratt,           | Wright,        |
| A. L. Green,   | Rankin,          | Speaker,       |

68

## NAYS.

0

Title agreed to.

On motion of Mr. Lockwood,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 49, entitled

A bill to regulate proceedings in case of recoupment,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|            |           |                |
|------------|-----------|----------------|
| Mr. Baker, | Mr. Hood, | Mr. Sessions,  |
| Beamer,    | Hurd,     | Shanahan,      |
| Blakeslee, | Joy,      | W. N. Stevens, |
| Brownell,  | Kelsey,   | A. Stevens,    |
| Bunce,     | Leetch,   | Stewart,       |
| Chase,     | Lockwood, | Stoddard,      |
| Choate,    | Miller,   | Strong,        |
| Crego,     | Moore,    | Taylor,        |

|              |           |               |
|--------------|-----------|---------------|
| C. Davis,    | Persons,  | Tibbits,      |
| Douglas,     | Peters,   | Warner,       |
| Fowle,       | Peterson, | Waterbury,    |
| Goodrich,    | Phelps,   | T. M. Wilson, |
| A. L. Green, | Piper,    | Winans,       |
| N. K. Green, | Pratt,    | Woodward,     |
| Hadley,      | Pringle,  | Wright,       |
| Haire,       | Raakin,   | Speaker,      |
| Hill,        | Read,     | 50            |

## NAYS.

|             |           |               |
|-------------|-----------|---------------|
| Mr. Cooley, | Mr. Wade, | Mr. Wetherby, |
| Henderson,  | Wallin,   | Wheeler,      |
|             |           | 6             |

Title agreed to.

On motion of Mr. Pringle,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Pratt moved to suspend the rules in order that he might move to reconsider the vote whereby the House passed Senate bill No. 43, entitled

A bill to authorize and empower judges of probate to license executors, administrators and guardians to mortgage or otherwise pledge estates for the settlement of debts against the same;

Which motion did not prevail.

Senate bill, entitled

A bill to abolish the office of district attorney in the Upper Peninsula,

Being under consideration,

On motion of Mr. Lockwood,

The bill was indefinitely postponed.

Senate bill, entitled

A bill to amend chapter 194 of the compiled laws, relative to the arrest and examination of offenders, commitment for trial and taking bail,

Being under consideration,

On motion of Mr. Gilbert,

The bill was laid on the table.

On motion of Mr. Tibbits,  
The House adjourned till this afternoon at 2 o'clock.

—  
AFTERNOON SESSION.

2 o'clock P. M.

House met pursuant to adjournment, and was called to order  
by the Speaker.

Roll called : quorum present.

The House resumed business under the order of

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 176, entitled

A bill to amend an act entitled an act further to preserve the  
purity of elections and guard against the abuses of the elective  
franchise by a registration of electors,

Was read a third time and passed, a majority of all the mem-  
bers elect voting therefor, by yeas and nays, as follows :

YEAS.

|                |                |                |
|----------------|----------------|----------------|
| Mr. Alexander, | Mr. Henderson, | Mr. Read,      |
| Beamer,        | Hill,          | Shank,         |
| Blakeslee,     | Howell,        | Shanahan,      |
| Chase,         | Joy,           | Smith,         |
| Childs,        | Kanouse,       | W. N. Stevens, |
| Choate,        | Lockwood,      | Strong,        |
| Chapoton,      | Miller,        | Taylor,        |
| A. W. Davis,   | Morrison,      | Tibbits,       |
| C. Davis,      | Moore,         | Wade,          |
| Ira Davis,     | Peterson,      | Warner,        |
| Fallass,       | Phelps,        | Waterbury,     |
| Foote,         | Piper,         | Wheeler,       |
| Fowle,         | Pratt,         | T. M. Wilson,  |
| Goodrich,      | Ramsdell,      | J. B. Wilson,  |
| N. K. Green,   | Rankin,        | Speaker, 45    |

NAYS.

|            |                  |               |
|------------|------------------|---------------|
| Mr. Baker, | Mr. A. L. Green, | Mr. Stoddard, |
| Brownell,  | Hadley,          | Toll,         |
| Cox,       | Haire,           | Wallin,       |
| Crego,     | Pringle,         | Winans,       |
| Follett,   | Sessions,        | Woodman,      |
| Gilbert,   | Stewart,         | Woodward,     |
| Gregory,   |                  |               |



Title agreed to.

By unanimous consent, the committee on education submitted the following report:

The committee on education, to whom was referred Senate bill No. 113, entitled

A bill to grant 25,000 acres of State swamp land to the German-American Seminary, of the city of Detroit,

Have had the same under consideration, and report it back and recommend that the bill do pass.

B. L. HILL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Pratt,

The bill was placed on its final passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

|                |                  |               |
|----------------|------------------|---------------|
| Mr. Alexander, | Mr. N. K. Green, | Mr. Piper,    |
| Atwood,        | Hadley,          | Pratt,        |
| Baker,         | Henderson,       | Pringle,      |
| Beamer,        | Hemingway,       | Ramsdell,     |
| Blakeslee,     | Hill,            | Rankin,       |
| Bunce,         | Hodges,          | Read,         |
| Chase,         | Hood,            | Sessions,     |
| Childs,        | Howell,          | Shank,        |
| Cox,           | Joy,             | Shanahan,     |
| Crego,         | Kanouse,         | Smith,        |
| Cutcheon,      | Kelsey,          | A. Stevens,   |
| A. W. Davis,   | Leetch,          | Taylor,       |
| C. Davis,      | Lockwood,        | Tibbits,      |
| Fallass,       | Morrison,        | Wade,         |
| Foote,         | Moore,           | Warner,       |
| Fowle,         | Persons,         | T. M. Wilson, |
| Goodrich,      | Peters,          | J. B. Wilson, |
| Gregory,       | Peterson,        | Speaker,      |
| A. L. Green,   | Phelps,          |               |

56

#### NAYS.

|               |             |                |
|---------------|-------------|----------------|
| Mr. Brownell, | Mr. Miller, | Mr. Waterbury, |
| Choate,       | Stewart,    | Wheeler,       |
| Cooley,       | Strong,     | Winans,        |
| Follett,      | Toll,       | Woodman,       |

Gilbert,  
Haire,

Wallin,

Woodward,

16

The question being upon agreeing to the title,

Mr. Sessions offered the following substitute for the title :

A bill to provide for the drainage and reclamation of the State swamp lands, by means of a German female college;

Which was not adopted.

The title was then agreed to.

On motion of Mr. Phelps,

By a vote of two thirds of all the members elect, the bill was ordered to take immediate effect.

By unanimous consent, the committee on education submitted the following report :

The committee on education, to whom was referred Senate bill No. 103, being

A bill to repeal act No. 70, of the session laws of 1855, being an act entitled an act to establish teachers' institutes, approved February 10, 1855,

Have had the same under consideration, and ask leave to make the following report :

In matters of education, Michigan confessedly holds the first position among the western States, and one hardly second to any in the Union. This position she has gained by adopting such means as wisdom and experience have devised, for the improvement of her public schools. By the bill before us, it is proposed to do away with one of the most, if not *the most* efficient instrumentalities for perfecting our school system. Farmers have their agricultural societies—mechanics have their associations—commercial men have their conventions—reformers have their alliances—religious bodies have their conferences and synods—and cannot teachers of youth be benefitted by like combinations? We cannot have good schools without good teachers, nor can we have good teachers unless there is placed within their reach the advantages to be gained from the experience of those who have made teaching the business and study of their lives.

To secure this object and to prepare teachers for their responsible duties, various measures have been adopted. Normal Schools have been established in different States. But a single Normal School in a State as large as Michigan, is entirely inadequate to the task of fitting her army of teachers for their work. To supply this deficiency, the system of institutes has been adopted. This system has been fairly tested, and has won the approval and support of all men who have devoted their lives to the cause of education. Hear the testimony of some of them. Hon. Geo. S. Boutwell, late President of the Massachusetts Board of Education, speaks of them as "the great instrumentalities in the work of education." And again, he says "within the sphere of its influence, the Institute is far superior to any agency that has been employed or suggested."

Lyman Draper, late Superintendent of Wisconsin, said three years ago, "Teachers' institutes have come into general use wherever education is progressive," and are "chief among other vastly important agencies." Hon. Mr. Pickard, the present Superintendent of Wisconsin, bears the same testimony. H. S. Randall, Superintendent in New York, wished to have an Institute in every county in the State, each year.

The Superintendent in Pennsylvania—report for 1857, says :

"The Institute, properly conducted, is undeniably the great lever to lift the school system from the dead level of apathy and indifference ; the most effectual and powerful agency at command, to reach and arouse public opinion, vivify the profession, and energise the system."

Our own Superintendent of Public Instruction, who is devoting all his energies to the improvement of our schools, and whose mind and heart are wholly given up to the work, in his last report speaks as follows :

"The value of these gatherings, both as agencies for the training of teachers, and as occasions for cultivating a more enlightened and earnest educational sentiment among the people, has been eloquently expressed by the chief educational officers in every State in which they have been held. They reach a class

of teachers that the normal school can never benefit, because their employment as teachers is too temporary and uncertain to lead them to seek its instructions ; and they accomplish in the open fieldwork of our educational system what no other agency can accomplish. Their great utility has been openly and warmly commended by all classes of citizens. Said an intelligent School Inspector, after attending the exercises for several days, "the State ought to provide means to have these Institutes go on throughout the year. There are villages enough that would be glad to entertain them "

Without multiplying authority, in the language of Thomas H. Barrows, Superintendent of common schools of Pennsylvania—"The experience of every common school State in the Union is positive in its testimony as to the value of these assemblages, as well to the school as to the teacher."

The Institutes have been conducted very economically in our State. Last year eight Institutes were held, of ten days each, attended by 1259 teachers, at an expense to the State of \$1300.

In Massachusetts, during the same time, there were held nine Institutes, of five days each, attended by 848 teachers, at an expense to the State of \$3,500.

The law, as it now stands, provides for an expenditure by the Superintendent, not to exceed \$1,800 per annum, for the support of these associations. Shall we, for that small amount, deprive the Superintendent of this great instrumentality for good, and forfeit our proud position among the States.

If the retrenchment fever is to carry us thus far, would it not be best to abolish the office of Superintendent, do away with all taxation for educational purposes, and return to the abandoned systems of the good old days of yore.

Against the passage of the bill herewith reported back to the House, which they would deem an unpardonable step backward, your committee solemnly protest.

Respectfully submitted,

S. M. CUTCHEON, *for the Committee.*

Report accepted and committee discharged.

Mr. Baker moved to lay the bill on the table.

Mr. Cutcheon demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays as follows :

## YEAS.

|              |             |                    |
|--------------|-------------|--------------------|
| Mr. Baker,   | Mr. Hadley, | Mr. W. N. Stevens, |
| Beamer,      | Haire,      | Stewart,           |
| Blakeslee,   | Henderson,  | Stoddard,          |
| Browell,     | Hill,       | Strong,            |
| Bunce,       | Hood,       | Tibbits,           |
| Chase,       | Howell,     | Toll,              |
| Childs,      | Hurd,       | Wallin,            |
| Choate,      | Jones,      | Waterbury,         |
| Cutcheon,    | Kanouse,    | Wetherby,          |
| A. W. Davis, | Leetch,     | Wheeler,           |
| C. Davis,    | Morrison,   | J. B. Wilson,      |
| Ira Davis,   | Moore,      | T. M. Wilson,      |
| Fallass,     | Peterson,   | Winans,            |
| Fowle,       | Pringle,    | Woodward,          |
| Gilbert,     | Rankin,     | Wright,            |
| Goodrich,    | Read,       | Speaker,           |
| A. L. Green, |             |                    |

49

## NAYS.

|                |             |               |
|----------------|-------------|---------------|
| Mr. Alexander, | Mr. Miller, | Mr. Sessions, |
| Cooley,        | Persons,    | Shanahan,     |
| Follett,       | Piper,      | Smith,        |
| Foote,         | Pratt,      | Wade,         |
| Hemingway,     | Ramsdell,   | Warner,       |
| Hodges,        |             |               |

16

By unanimous consent, the committee on public lands submitted the following report :

The committee on public lands, to whom was referred Senate bill, entitled

A bill granting swamp land to the county of Genesee, to aid in cutting drains through a certain swamp in said county,

Would respectfully report that we have had the same under consideration, and report the same back to the House without amendment, and recommend its passage, and ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

J. C. WATERBURY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rankin,

The bill was placed on its final passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

|              |             |               |
|--------------|-------------|---------------|
| Mr. Atwood,  | Mr. Hodges, | Mr. Shanahan, |
| Baker,       | Hood,       | Smith,        |
| Beamer,      | Howell,     | A. Stevens,   |
| Blakeslee,   | Jones,      | Stewart,      |
| Bunce,       | Kanouse,    | Stoddard,     |
| Chase,       | Kelsey,     | Taylor,       |
| Cooley,      | Leetch,     | Tibbits,      |
| Cox,         | Lockwood,   | Toll,         |
| Cutcheon,    | Miller,     | Wade,         |
| A. W. Davis, | Moore,      | Wallin,       |
| C. Davis,    | Persens,    | Warner,       |
| Ira Davis,   | Peters,     | Waterbury,    |
| Fallass,     | Peterson,   | Wheeler,      |
| Foote,       | Piper,      | T. M. Wilson, |
| Goodrich,    | Pratt,      | J. B. Wilson, |
| Hadley,      | Ramsdell,   | Winans,       |
| Haire,       | Rankin,     | Woodward,     |
| Hemingway,   | Read,       | Wright,       |
| Hill,        |             |               |

55

#### NAYS.

|             |              |                |
|-------------|--------------|----------------|
| Mr. Childs, | Mr. Gregory, | Mr. Shank,     |
| Choate,     | N. K. Green, | W. N. Stevens, |
| Chapoton,   | Henderson,   | Strong,        |
| Follett,    | Hurd,        | Wetherby,      |
| Gilbert,    | Sessions,    | Woodman,       |

15

By the committee on education:

The committee on education, to whom was referred Senate bill, entitled

A bill to enlarge union school district No. 2, in Pontiac, Oakland county,

Report the bill back without amendment and recommend that it do pass, and ask to be discharged from its further consideration.

B. L. HILL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Woodman,  
The bill was laid on the table.

By the committee on education:

The committee on education, to whom was referred Senate bill, entitled

A bill to amend certain sections of the primary school laws,

Report the bill back without amendment and recommend that it do pass, and ask to be discharged from its further consideration.

B. L. HILL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Cutcheon,

The bill was placed on its final passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|                |                  |                |
|----------------|------------------|----------------|
| Mr. Alexander, | Mr. A. L. Green, | Mr. Shank,     |
| Baker,         | Hadley,          | Shanahan,      |
| Beamer,        | Haire,           | Smith,         |
| Blakeslee,     | Henderson,       | W. N. Stevens, |
| Chase,         | Hemingway,       | A. Stevens,    |
| Childs,        | Hill,            | Stewart,       |
| Choate,        | Hodges,          | Stoddard,      |
| Chapoton,      | Hood,            | Strong,        |
| Cooley,        | Howell,          | Taylor,        |
| Crego,         | Hurd,            | Tibbits,       |
| Cutcheon,      | Kanouse,         | Wade,          |
| C. Davis,      | Kelsey,          | Wallin,        |
| Ira Davis,     | Leetch,          | Wetherby,      |
| Douglas,       | Lockwood,        | Wheeler,       |
| Fallass,       | Morrison,        | T. M. Wilson,  |
| Foote,         | Phelps,          | Woodman,       |
| Fowle,         | Pratt,           | Woodward,      |
| Gilbert,       | Pringle,         | Wright,        |
| Goodrich,      | Read,            | Speaker,       |
| Gregory,       | Sessions,        |                |

59

#### NAYS.

|              |                  |            |
|--------------|------------------|------------|
| Mr. Bunce,   | Mr. N. K. Green, | Mr. Moore, |
| A. W. Davis, | Jones,           | Peters,    |
| Follett,     | Joy,             | Ramsdell,  |

9

Title agreed to.

By the committee on agriculture and manufactures!

The committee on agriculture and manufactures, to whom was referred House bill, entitled

A bill to vest the fee of certain swamp lands in the State Board of Education, in trust, for the benefit of the Agricultural College,

Would respectfully report that they have had the same under consideration, and as the objects of this bill have been attained by the passage of another bill, have instructed me to report the same back to the House and recommend that it do not pass, and ask to be discharged from the further consideration thereof.

J. W. CHILDS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was laid on the table.

By the judiciary committee:

The committee on the judiciary, to whom was referred Senate bill, entitled

A bill to authorize the Auditor General to vacate and set aside certain tax sales and deeds thereon,

Respectfully report that they have had the same under consideration, report it back with amendments, in which they ask the concurrence of the House, with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. N. K. Green,

The House concurred in the amendments made by the committee.

On motion of Mr. Warner,

The bill was placed on the order of third reading.

By the judiciary committee:

The committee on the judiciary, to whom was referred Senate bill, entitled



A bill to amend section 12, of chapter 23 of compiled laws, relative to the obstruction of the navigation of rivers or streams declared public highways,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do not pass, and ask to be discharged from a further consideration of the subject.

THOS. W. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Sessions,

The bill was laid on the table.

By the committee on roads and bridges :

The committee on roads and bridges, to whom was referred Senate bill No. 142, being

A bill to provide for laying out, establishing and improving a road from Muskegon river to the north line of Mason county,

Respectfully report that they have had the same under consideration, and return the same to the House with a recommendation that it do not pass, and ask to be discharged.

N. K. GREEN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Phelps,

The bill was laid on the table.

#### MESSAGES FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER,  
*Lansing, March 18, 1861.* }

*To the Speaker of the House of Representatives :*

Sir :—I am instructed to return to the House the following entitled bills :

House bill No. 142, entitled

A bill authorizing the Auditor General to pay to Robert P. Sinclair the money received for the redemption of land sold for taxes ;

House bill No. 143, entitled

A bill to legalize a certain highway in township number four (4) south, of range seven (7) west;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER, }  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bills :

1. House bill, entitled

A bill to prevent fishing with seines, nets, and spears, in the lakes known as Devil's lake, and Round lake, in Lenawee county;

2. House bill No. 164, entitled

A bill to amend section 63, of chapter 60, of the revised statutes of 1846, being section 2505 of the compiled laws, relative to trespasses on the public lands;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following:

SENATE CHAMBER,  
*Lansing, March 13, 1861.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bill:

Senate bill No. 126, entitled

A bill to authorize the several townships in the counties of Muskegon, Oceana, Mason and Manistee to levy taxes for the improvement of harbors and rivers within their respective counties,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on rivers and harbors.

Also the following:

SENATE CHAMBER,  
*Lansing, March 13, 1861.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bill:

Senate bill No. 146, entitled

A bill to appropriate certain swamp lands for the building and improvement of the meridian line road, from the corporation line of the village of Hudson, in Lenawee county, to the State line between Ohio and Michigan,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on public lands.

Also the following :

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives:*

Sir—I am instructed by the Senate to transmit the following entitled bill :

Senate bill No. 122, entitled

A bill to confirm certain sales of land made by the Commissioner of the Land Office, August 4, 1859,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Also the following :

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives:*

Sir:—I am instructed by the Senate to inform the House that the Senate has appointed Senators Brown, DeLand and Baker, a committee to confer with the committee of the House upon the disagreement between the House and Senate, in regard to the Senate bill, entitled

A bill to amend an act entitled an act to provide a military fund in aid of the uniformed volunteer militia, approved February 14, 1859.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Senate bill, entitled

A bill to amend an act to incorporate the city of Owosso, approved February 15, 1859,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|                |                |                |
|----------------|----------------|----------------|
| Mr. Alexander, | Mr. Henderson, | Mr. Shanahan,  |
| Atwood,        | Hill,          | Smith,         |
| Baker,         | Hood,          | W. N. Stevens, |
| Beamer,        | Howell,        | A. Stevens,    |
| Blakeslee,     | Jones,         | Stewart,       |
| Brownell,      | Joy,           | Stoddard,      |
| Bunce,         | Kanouse,       | Strong,        |
| Chase,         | Kelsey,        | Taylor,        |
| Childs,        | Leetch,        | Tibbits,       |
| Choate,        | Lockwood,      | Toll,          |
| Chapoton,      | Moore,         | Wade,          |
| Cooley,        | Persons,       | Wallin,        |
| Crego,         | Peters,        | Waterbury,     |
| C. Davis,      | Peterson,      | J. B. Wilson,  |
| Ira Davis,     | Piper,         | Winans,        |
| Douglas,       | Pratt,         | Woodman,       |
| Fallass,       | Ramsdell,      | Woodward,      |
| Gilbert,       | Read,          | Wright,        |
| Goodrich,      | Sessions,      | Speaker,       |
| Haire,         |                |                |

58

## NAYS.

Mr. Hodges,

1

Title agreed to.

On motion of Mr. Kelsey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill, entitled

A bill to amend an act entitled an act to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence, approved March 17, 1847, being section 628 of compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|            |            |            |
|------------|------------|------------|
| Mr. Baker, | Mr. Haire, | Mr. Piper, |
| Beamer,    | Henderson, | Pratt,     |

|              |            |               |
|--------------|------------|---------------|
| Blakeslee,   | Hemingway, | Read,         |
| Bunce,       | Hill,      | Sessions,     |
| Chase,       | Hodges,    | Shank,        |
| Childs,      | Howell,    | Shanahan,     |
| Crego,       | Hurd,      | Smith,        |
| A. W. Davis, | Kanouse,   | A. Stevens,   |
| Ira Davis,   | Kelsey,    | Taylor,       |
| Douglas,     | Leetch,    | Tibbits,      |
| Fallass,     | Lockwood,  | Wade,         |
| Foote,       | Miller,    | Waterbury,    |
| Gilbert,     | Morrison,  | Wheeler,      |
| Goodrich,    | Moore,     | T. M. Wilson, |
| Gregory,     | Peters,    | Woodward,     |
| A. L. Green, | Peterson,  | Wright,       |
| Hadley,      | Phelps,    | Speaker, 51   |

## NAYS

|                |            |           |
|----------------|------------|-----------|
| Mr. Alexander, | Mr. Jones, | Mr. Toll, |
| Atwood,        | Ramsdell,  | Wallin,   |
| Choate,        | Stewart,   | Winans,   |
| Cooley,        | Strong,    | Woodman,  |
| Follett,       |            | 13        |

Title agreed to.

Senate bill No. 5, entitled

A bill to amend an act entitled an act relative to plank roads, approved March 13, 1848,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|              |            |             |
|--------------|------------|-------------|
| Mr. Atwood,  | Mr. Haire, | Mr. Shank,  |
| Beamer,      | Hemingway, | Shanahan,   |
| Blakeslee,   | Hill,      | Smith,      |
| Brownell,    | Hood,      | A. Stevens, |
| Bunce,       | Howell,    | Stewart,    |
| Chase,       | Hurd,      | Stoddard,   |
| Chapoton,    | Joy,       | Strong,     |
| Cooley,      | Kanouse,   | Taylor,     |
| Cox,         | Kelsey,    | Tibbits,    |
| Crego,       | Leetch,    | Wade,       |
| A. W. Davis, | Lockwood,  | Wallin,     |
| C. Davis,    | Moore,     | Warner,     |
| Ira Davis,   | Persons,   | Waterbury,  |
| Douglas,     | Peters,    | Wetherby,   |
| Fellett,     | Peterson,  | Wheeler,    |

Foote,  
Fowle,  
Gilbert,  
Goodrich,  
A. L. Green,  
Hadley,

Phelps,  
Piper,  
Pratt,  
Ramsdell,  
Read,  
Sessions,

T. M. Wilson,  
J. B. Wilson,  
Woodman,  
Woodward,  
Wright,  
Speaker, 62

## NAYS.

Mr. Childs,  
Henderson,

Mr. Hodges,  
Jones,

Mr. Winans, 5

Title agreed to.

Senate bill No. 112, entitled

A bill to amend section 2435 of the compiled laws, relative to the payment of moneys by purchasers of the trust funds to county treasurers,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Baker,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Choate,  
Cooley,  
Cox,  
Crego,  
A. W. Davis,  
Ira Davis,  
Douglas,  
Foote,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,  
Hadley,  
Haire,  
Henderson,

Mr. Hill,  
Hood,  
Howell,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,  
Read,  
Sessions,

Mr. Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Wright,  
Speaker, 62

## NAYS.

Mr. Follet, 1

Title agreed to.

Senate bill No. 128, entitled

A bill to regulate the manner of attaching unorganized territory to organized counties, for judicial and municipal purposes,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|                |                  |                |
|----------------|------------------|----------------|
| Mr. Alexander, | Mr. A. L. Green, | Mr. Smith,     |
| Atwood,        | Hadley,          | W. N. Stevens, |
| Baker,         | Haire,           | A. Stevens,    |
| Blakeslee,     | Henderson,       | Stoddard,      |
| Brownell,      | Hodges,          | Strong,        |
| Bunce,         | Hood,            | Taylor,        |
| Chase,         | Hurd,            | Tibbits,       |
| Childs,        | Joy,             | Toll,          |
| Choate,        | Kanouse,         | Wade,          |
| Chapoton,      | Kelsey,          | Wallin,        |
| Cox,           | Leetch,          | Warner,        |
| Orego,         | Peterson,        | Waterbury,     |
| Ira Davis,     | Phelps,          | T. M. Wilsen,  |
| Douglas,       | Pratt,           | Winans,        |
| Follett,       | Pringle,         | Woodman,       |
| Fowle,         | Rankin,          | Woodward,      |
| Gilbert,       | Sessions,        | Wright,        |
| Goodrich,      | Shanahan,        | Speaker, 54    |

## NAYS.

|                  |              |   |
|------------------|--------------|---|
| Mr. Ramsdell,    | Mr. Stewart, | 2 |
| Title agreed to. |              |   |

Mr. Lockwood, by unanimous consent, moved to take from the table Senate bill No. 47, being

A bill to amend section 12, of chapter 23, of the compiled laws, relative to the obstruction of the navigation of rivers or streams declared public highways;

Which motion prevailed

On motion of Mr. Hemingway,

The bill was placed on the order of third reading.

Senate bill, entitled

A bill to provide for the equal valuation and assessment of property in the village of Hudson,

Being under consideration,

On motion of Mr. Hodges,

The bill was laid on the table.



Senate joint resolution No. 11, entitled

Joint resolution authorizing a settlement with Warren Thompson, Sidney Green, John Stuart, Richard Peters, Charles Dean, T. G. Barker,

Being under consideration,

Mr. Sessions moved that it be indefinitely postponed;

Mr. Hodges demanded the previous question;

The demand was seconded and the main question ordered.

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion to indefinitely postpone did not prevail, by yeas and nays, as follows :

#### YEAS.

|                |                  |               |
|----------------|------------------|---------------|
| Mr. Alexander, | Mr. A. L. Green, | Mr. Sessions, |
| Baker,         | Haire,           | Shanahan,     |
| Childs,        | Henderson,       | Stewart,      |
| Fallass,       | Joy,             | Wheeler,      |
| Foots,         | Lockwood,        | Woodman,      |
| Gilbert,       | Morrison,        | Speaker,      |
| Goodrich,      | Piper,           |               |

20

#### NAYS.

|             |           |                |
|-------------|-----------|----------------|
| Mr. Atwood, | Mr. Hill, | Mr. Rankin,    |
| Beamer,     | Hodges,   | Read,          |
| Brownell,   | Hood,     | W. N. Stevens, |
| Chase,      | Howell,   | A. Stevens,    |
| Choate,     | Hurd,     | Taylor,        |
| Cooley,     | Kanouse,  | Tibbits,       |
| Cox,        | Kelsey,   | Toll,          |
| Crego,      | Leetch,   | Wade,          |
| Cutcheon,   | Persons,  | Wallin,        |
| C. Davis,   | Peters,   | Warner,        |
| Ira Davis,  | Peterson, | T. M. Wilson,  |
| Douglas,    | Phelps,   | J. B. Wilson,  |
| Follett,    | Pratt,    | Winans,        |
| Fowle,      | Pringle,  | Woodward,      |
| Gregory,    | Ramsdell, | Wright,        |
| Hadley,     |           |                |

46

The joint resolution was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|             |                  |               |
|-------------|------------------|---------------|
| Mr. Atwood, | Mr. N. K. Green, | Mr. Ramsdell, |
| Blakeslee,  | Hadley,          | Read,         |

|            |           |                |
|------------|-----------|----------------|
| Bunce,     | Hill,     | W. N. Stevens, |
| Chase,     | Hodges,   | A. Stevens,    |
| Childs,    | Hood,     | Taylor,        |
| Choate,    | Howell,   | Tibbits,       |
| Cooley,    | Hurd,     | Toll,          |
| Cox,       | Kanouse,  | Wade,          |
| Crego,     | Kelsey,   | Wallin,        |
| Cutcheon,  | Leetch,   | Warner,        |
| C. Davis,  | Moore,    | Waterbury,     |
| Ira Davis, | Persons,  | T. M. Wilson,  |
| Douglas,   | Peters,   | J. B. Wilson,  |
| Follett,   | Peterson, | Winans,        |
| Foots,     | Phelps, - | Woodward,      |
| Fowle,     | Pratt,    | Wright,        |
| Gregory,   | Pringle,  |                |

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## NAYS.

|                |                |               |
|----------------|----------------|---------------|
| Mr. Alexander, | Mr. Henderson, | Mr. Sessions, |
| Fallas,        | Joy,           | Shanahan,     |
| Gilbert,       | Lockwood,      | Smith,        |
| Goodrich,      | Morrison,      | Stewart,      |
| A. L. Green,   | Piper,         | Woodman,      |
| Haire,         | Rankin,        | Speaker,      |

18

Title agreed to.

## MESSAGE FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives:*

Sir—I am instructed to return to the House the following:  
House bill No. 123, entitled

A bill to amend sections 4742, 4747, and 4748, of the compiled laws, relating to proceedings against debtors by attachment,

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following:

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bill:

House bill No. 117, entitled

A bill to amend and add to chapter 132 of the compiled laws, entitled of homestead exemptions,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bill :

House bill No. 32, entitled

A bill to provide for publishing the statistics of the State of Michigan, taken by authority of the United States, in the year 1860,

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to return to the House the following entitled bill :

A bill to provide for the preservation of the Muskegon river improvement, and to authorize tolls for the same,

With an amendment which is attached thereto,

In the passage of which, as amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Howell moved that the House concur in the amendment made by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

|                |             |                |
|----------------|-------------|----------------|
| Mr. Alexander, | Mr. Hadley, | Mr. Rankin,    |
| Atwood,        | Henderson,  | Read,          |
| Blakeslee,     | Hill,       | Sessions,      |
| Brownell       | Hodges,     | Shank,         |
| Chase,         | Hood,       | Shanahan,      |
| Childs,        | Howell,     | Smith,         |
| Choate,        | Hurd,       | W. N. Stevens, |
| Chapoton,      | Joy,        | A. Stevens,    |
| Cooley,        | Kanouse,    | Stewart,       |
| Cutcheon,      | Kelsey,     | Stoddard,      |
| A. W. Davis,   | Leetch,     | Taylor,        |
| O. Davis,      | Lockwood,   | Tibbits,       |
| Ira Davis,     | Merrison,   | Toll,          |
| Douglas,       | Moore,      | Wade,          |
| Fallass,       | Persons,    | Wallin,        |
| Follett,       | Peters,     | Warner,        |
| Foote,         | Peterson,   | Waterbury,     |
| Fowle,         | Phelps,     | Wheeler,       |
| Gregory,       | Piper,      | Woodman,       |
| A. L. Green,   | Pratt,      | Wright,        |
| N. K. Green,   | Ramsdell,   | Speaker,       |

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NAYS.

Mr. Gilbert, Mr. J. B. Wilson,

2

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Senate bill No. 108, entitled

A bill to amend section 59, chapter 6, of the compiled laws, concerning the canvassing of votes at elections,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

|                |           |               |
|----------------|-----------|---------------|
| Mr. Alexander, | Mr. Hill, | Mr. Ramsdell, |
| Blakeslee,     | Hodges,   | Rankin,       |
| Chase,         | Hood,     | Read,         |
| Childs,        | Howell,   | Sessions,     |
| Chapoton,      | Leetch,   | Shanahan,     |
| Ceoley,        | Lockwood, | Smith,        |
| A. W. Davis,   | Miller,   | Stewart,      |
| Ira Davis,     | Morrison, | Taylor,       |
| Douglas,       | Moore,    | Tibbits,      |
| Foots,         | Persons,  | Wade,         |
| Fowle,         | Peters,   | Waterbury,    |
| Goodrich,      | Peterson, | Wheeler,      |
| A. L. Green,   | Phelps,   | J. B. Wilson, |
| N. K. Green,   | Piper,    | Winans,       |
| Hadley,        | Pringle,  | Wright, 45    |

NAYS.

|             |                |               |
|-------------|----------------|---------------|
| Mr. Atwood, | Mr. Gregory,   | Mr. Stoddard, |
| Baker,      | Haire,         | Wallin,       |
| Choate,     | Henderson,     | Warner,       |
| Cutcheon,   | Hurd,          | Woodman,      |
| C. Davis,   | Kanouse,       | Woodward,     |
| Follet,     | Kelsey,        | Speaker, 20   |
| Gilbert,    | W. N. Stevens, |               |

Title agreed to.

Senate bill, entitled

A bill to provide for the construction of a State road in Saginaw county,

Was read a third time, and a majority of all the members elect not voting therefor, it was not passed, by yeas and nays, as follows :

YEAS.

|            |               |             |
|------------|---------------|-------------|
| Mr. Baker, | Mr. Goodrich, | Mr. Rankin, |
| Blakeslee, | Hill,         | Shank,      |

Bunce,  
Chase,  
Chapoton,  
Cooley,  
Cox,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Foote,

Hood,  
Howell,  
Hurd,  
Kanouze,  
Kelsey,  
Leetch,  
Persons,  
Peters,  
Pratt,

Smith,  
A. Stevens,  
Stoddard,  
Taylor,  
Tibbits,  
Warner,  
J. B. Wilson,  
Wright,  
Speaker,

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## NAYS.

Mr. Alexander,  
Atwood,  
Brownell,  
Choate,  
Cutcheon,  
Follett,  
Gilbert,  
Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Haire,

Mr. Henderson,  
Hodges,  
Jones,  
Joy,  
Lockwood,  
Miller,  
Morrison,  
Peterson,  
Piper,  
Read,  
Sessions,  
Shanahan,

Mr. W. N. Stevens,  
Stewart,  
Strong,  
Wade,  
Wallin,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
Winans,  
Woodman,  
Woodward, 36

Mr. Pratt moved a call of the House;

Which was ordered.

The Clerk called the roll, and the following members were absent without leave:

Messrs. Beamer, Childs, Crego, Ira Davis, Hemingway, Morrison, Moore, Phelps, Ramsdell, Toll, Wallin and Woodward.

On motion of Mr. Alexander,

Mr. Morrison was excused for non-attendance.

On motion of Mr. T. M. Wilson,

The Sergeant-at-Arms was dispatched after the absentees.

The Sergeant-at-Arms announced Messrs. Ira Davis and Woodward at the bar of the House.

On motion of Mr. Alexander,

The gentlemen were admitted within the bar of the House, rendered an excuse which was received by the House, and were permitted to take their seats.

The Sergeant-at-Arms announced Messrs. Ramsdell and Childs at the bar of the House.

On motion of Mr. Tibbits,

The gentlemen were admitted within the bar of the House, rendered an excuse, and were permitted to take their seats.

The Sergeant-at-Arms announced Mr. Beamer at the bar of the House.

On motion of Mr. Kelsey,

Mr. Beamer was admitted within the bar of the House, rendered an excuse, and was permitted to take his seat.

Mr. Kanouse moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

The Sergeant-at-Arms announced Mr. Wallin at the bar of the House.

On motion of Mr. Baker,

Mr. Wallin was admitted within the bar of the House, rendered an excuse, and was permitted to take his seat.

The Sergeant-at-Arms announced Mr. Crego at the bar of the House.

On motion of Mr. Miller,

Mr. Crego was admitted within the bar of the House, rendered an excuse, which was received by the House, and was permitted to resume his seat.

The Sergeant-at-Arms announced Mr. Hemingway at the bar of the House.

On motion of Mr. Alexander,

Mr. Hemingway was admitted within the bar, rendered an excuse, was excused, and permitted to take his seat.

The Sergeant-at-Arms announced Messrs. Fallass and Phelps at the bar of the House.

On motion of Mr. Childs,

The gentlemen were admitted within the bar of the House, rendered an excuse, were excused by the House, and were permitted to take their seats.

On motion of Mr. Alexander,

All further proceedings under the call were dispensed with.

## MESSAGE FROM THE GOVERNOR.

The Sergeant-at-Arms announced the Private Secretary of the Governor, by whom the following message was communicated to the House :

EXECUTIVE OFFICE,  
Lansing, March 13, 1861. }

*To the House of Representatives :*

I have approved and deposited in the office of the Secretary of State the following :

An act relative to interest on contracts between citizens of this State and other States and countries, or payable elsewhere than in this State;

Also,

Joint resolution for the relief of the Detroit Locomotive works;

Also,

An act to prevent the adulteration of coal oil;

Also,

An act to amend an act entitled an act to incorporate the city of Lansing, approved February 15, 1859;

Also,

An act to provide for the formation of companies to construct canals or harbors, and improve the same;

Also,

An act to amend chapter 150, of the revised statutes of 1846, being chapter 175, of compiled laws, authorizing the judge of probate of the county of Wayne to appoint a register;

Also,

An act to amend an act entitled an act to organize the Michigan asylum for the insane, and more effectually to provide for the care, maintenance and recovery of the insane;

Also,

An act to amend sections 3 to 11 inclusive, of chapter 100, of the revised statutes of 1846, sections 4188 to 4196 inclusive, of the compiled laws, relative to referees;

Also,



An act to establish and organize the county of Keweenaw;

Also,

An act to relieve observers of the seventh day of the week from the necessity of defending suits in violation of their consciences;

Also,

An act to apportion anew the Representatives among the several counties and districts of this State;

Also,

An act to amend chapter 23 of the compiled laws, relative to obstructions and encroachments of highways;

Also,

An act to authorize the Jackson County Agricultural Society to borrow money and mortgage certain real estate to secure the payment of the same;

Also,

An act to provide for the manner of equalizing the assessment rolls by the board of supervisors of the county of Wayne;

Also,

An act to authorize the Auditor General to execute tax deeds in certain cases ;

Also,

An act to authorize the Marshall and Ionia Plank Road Company to discontinue a portion of their road, and for other purposes;

Also,

An act to repeal an act entitled an act to amend an act entitled an act to reorganize the county of Emmet, approved February 3, 1858;

Also,

An act to organize a school district of the Wayne county Farm, and appropriate the public moneys for school purposes, for the education of poor children;

Also,

An act to amend an act to authorize the conveyance of a certain lot in the village of Lansing, to the trustees of the Society

of the Church of the United Brethren in Christ, in the said village, approved February 4, 1859;

Also,

An act to organize the county of Delta and define the boundaries of the same;

Also,

An act to change the boundaries of the county of Houghton, and establish the county seat thereof;

Also,

An act making the action of trespass, and trespass on the case, transitory in certain cases;

Also,

An act to amend certain sections of an act to revise the charter of the city of Ypsilanti, approved February 15, 1859.

AUSTIN BLAIR.

Mr. Waterbury, by unanimous consent, moved to reconsider the vote whereby the House refused to pass Senate bill, entitled

A bill to provide for the construction of a road in Saginaw county;

Which motion prevailed.

The question recurring upon the passage of the bill, it was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Baker,  
Beamer,  
Blakeslee,  
Bunce,  
Chapoton,  
Cooley,  
Cox,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fecte,  
N. K. Green,  
Hadley,  
Hemingway,

Mr. Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Kanouse,  
Kelsey,  
Leetch,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Ramsdell,

Mr. Rankin,  
Shank,  
Smith,  
A. Stevens,  
Stoddard,  
Taylor,  
Tibbits,  
Toll,  
Warner,  
Waterbury,  
T. M. Wilson,  
J. B. Wilson,  
Wright,  
Speaker,

## NAYS.

|                |                |              |
|----------------|----------------|--------------|
| Mr. Alexander, | Mr. Gregory,   | Mr. Stewart, |
| Atwood,        | A. L. Green,   | Strong,      |
| Chase,         | Haire,         | Wade,        |
| Childs,        | Henderson,     | Wallin,      |
| Choate,        | Jones,         | Wetherby,    |
| Crego,         | Miller,        | Wheeler,     |
| Cutcheon,      | Read,          | Woodman,     |
| Follett,       | Sessions,      | Woodward,    |
| Gilbert,       | W. N. Stevens, |              |

26

Title agreed to.

Senate bill No. 90, entitled

A bill relative to brokers and exchange dealers,

Was read a third time, and a majority of all the members elect not voting therefor, was not passed, by yeas and nays, as follows :

## YEAS.

|              |             |               |
|--------------|-------------|---------------|
| Mr. Chase,   | Mr. Howell, | Mr. Ramsdell, |
| A. W. Davis, | Kanouse,    | Smith,        |
| Ira Davis,   | Leetch,     | A. Stevens,   |
| Fowle,       | Miller,     | Stoddard,     |
| Goodrich,    | Moore,      | Tibbits,      |
| Hemingway,   | Peterson,   | T. M. Wilson, |
| Hill,        | Piper,      | J. B. Wilson, |
| Hodges,      | Pratt,      | Woodward,     |

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## NAYS.

|                |              |                |
|----------------|--------------|----------------|
| Mr. Alexander, | Mr. Foote,   | Mr. Rankin,    |
| Atwood,        | Gilbert,     | Read,          |
| Baker,         | Gregory,     | Shank,         |
| Beamer,        | A. L. Green, | Shanahan,      |
| Blakeslee,     | Hadley,      | W. N. Stevens, |
| Bunce,         | Haire,       | Strong,        |
| Childs,        | Henderson,   | Taylor,        |
| Choate,        | Jones,       | Toll,          |
| Chapoton,      | Joy,         | Wade,          |
| Cooley,        | Kelsey,      | Wallin,        |
| Crego,         | Lockwood,    | Wetherby,      |
| Cutcheon,      | Morrison,    | Winans,        |
| O. Davis,      | Peters,      | Woodman,       |
| Douglas,       | Phelps,      | Speaker,       |
| Follett,       | Pringle,     |                |

44

Senate bill, entitled

A bill relative to plank roads,

Being under consideration,

On motion of Mr. Tibbits,

The further consideration of the bill was indefinitely postponed.

By unanimous consent, the committee on harbors submitted the following report :

The committee on harbors, to whom was referred Senate bill No. 126, being

A bill to authorize the several townships in the counties of Muskegon, Oceana, Mason and Manistee, to levy taxes for the improvement of harbors and rivers within their respective counties,

Would report that they have had the same under consideration, and having amended the same, have instructed me to report the bill back to the House, and recommend that when so amended the same do pass, and ask to be discharged from the further consideration of the same.

T. M. WILSON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wallin,

The House concurred in the amendments made by the committee.

On motion of Mr. C. Davis,

The bill was placed on the order of third reading.

Mr. Hemingway asked and obtained leave of absence for himself for the evening, on account of sickness.

On motion of Mr. Childs,

The House adjourned until 7½ o'clock this evening.

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EVENING SESSION.

7½ o'clock P. M.

House met pursuant to adjournment, and was called to order by the Speaker.

Roll called : quorum present.

## MESSAGES FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER,  
*Lansing, March 13, 1861.* }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed to return to the House the following entitled bills :

House bill No. 121, entitled

1. A bill to authorize boards of health to dispose of real estate ;

House bill, entitled

2. A bill to amend an act entitled an act to establish graded and high schools, approved February 14, 1859, being act No. 161, session laws of 1859 ;

Senate bill No. 124, entitled

3. A bill to provide for laying out and establishing highways on lines dividing this from other States;

In the passage of which the Senate has concurred, by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
*Lansing, March 13, 1861.* }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed to return to the House the following entitled bills :

1. House bill, entitled

A bill to provide for the erection and maintenance of shutes for the passage of fish through the dams across the streams of this State;

2. House joint resolution, entitled

Joint resolution authorizing the common council of the city

of Lansing to use a portion of a certain street therein for purposes of the fire department of said city;

3. House bill No. 162, entitled

A bill to amend section 23, of chapter 106, of the revised statutes of 1846, being section 4461 of the compiled laws, relative to sale of goods on execution pledged by way of mortgage;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bills :

House bill No. 149, entitled

A bill giving to circuit courts jurisdiction by information, in the nature of a quo warranto, in certain cases;

Senate bill No. 171, entitled

A bill to attach the county of Manitou to the county of Mackinac, for certain judicial purposes ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER, }  
Lansing, March 13, 1851. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following entitled bill:

House bill No. 159, entitled

A bill amending sections 3, 13 and 25, of chapter 150, of compiled laws, relating to conferring upon justices of the peace jurisdiction in case of forcible entry and detainer, and forcible detainer only;

In the passage of which the Senate has concurred, by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER, }  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed to return to the House the following entitled bills :

1. House bill, entitled

A bill appropriating certain highway taxes for the improvement of a road in the counties of Eaton and Ionia;

2. House bill, entitled

A bill to authorize the trustees of the Grass Lake Baptist Society of the township of Grass Lake, in the county of Jackson, to convey certain real estate to school district No. 9, of said township;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same

to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER.

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following:

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bills:

1. House bill No. 136, entitled

A bill vesting with police powers marshals and their deputies at State and county fairs;

2. House bill No. 137, entitled

A bill in relation to issuing of capias for witnesses in criminal proceedings;

3. House bill No. 161, entitled

A bill to amend sections 14 and 16, and to repeal section 15, of chapter 134 of the compiled laws, relating to the action of ejection;

4. House bill No. 144, entitled

A bill to provide for the expenses of trial of persons holding, or who have held State offices, for malfeasance in office;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The several bills was referred to the committee on engrossment and enrollment for enrollment.

By unanimous consent, the committee on State affairs submitted the following report:

The committee on State affairs, to whom was referred Senate bill No. 122, entitled



A bill making a grant of swamp lands to promote the early completion of the several land grant railroads in the Upper Peninsula,

Have had the same under consideration, and a majority of the said committee have instructed me to report the said bill back to the House without recommendation, and ask to be discharged from the further consideration of the same.

A. H. MORRISON, *Chairman.*

Report accepted and committee discharged.

On motion Mr. Warner,

The bill was placed on the order of third reading.

Mr. Pringle, by unanimous consent, moved to take from the table Senate bill, entitled

A bill making appropriations for removing the east wall and building work shops at the State Prison;

Which motion prevailed.

On motion of Mr. Pringle,

The bill was recommitted to the committee on ways and means.

Mr. C. Davis, by unanimous consent, moved to take from the table Senate bill No. 142, entitled

A bill to provide for laying out a State road from Muskegon River to north line of Mason county ;

Which motion did not prevail.

The House then resumed business under the order of

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Senate bill, entitled

A bill to organize the township of Strickland,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,

Mr. Haire,  
Henderson,  
Hill,  
Hodges,  
Hurd,

Mr. Ramsdell,  
Rankin,  
Read,  
Sessions,  
Shanahan,

Childs,  
Chapoton,  
Cutcheon,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,  
Hadley,

Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,

Smith,  
Stron,  
Taylor,  
Tibbits,  
Wade,  
Warner,  
Waterbury,  
T. M. Wilson,  
J. B. Wilson,  
Woodman,  
Woodward,  
Speaker,

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## NAYS.

Mr. Winans,

1

The question being upon agreeing to the title,

Mr. Waterbury moved to amend the same by adding thereto the words "Paris and Verona ;"

Which motion prevailed. \*

The title, as amended, was agreed to.

On motion of Mr. Waterbury,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 101, entitled

A bill to amend an act incorporating the Boston and Pittsburg mining company, approved March 18, 1848,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,  
Atwood,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cocley,  
Crego,  
Cutcheon

Mr. Gregory,  
A. L. Green,  
Hadley,  
Haire,  
Henderson,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Jones,  
Joy,

Mr. Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Ramsdell,  
Read,  
Shanahan,  
Smith,  
Stewart,  
Stoddard,  
Strong,

A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Gilbert,  
Goodrich,

Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,

Tyler,  
Tibbits,  
Toll,  
Wade,  
Warner,  
Waterbury,  
Wheeler,  
Wright,

61

## NAYS.

Mr. Pringle,  
Sessions,

Mr. J. B. Wilson,

Mr. Woodman,

4

The question being upon agreeing to the title,

Mr. Lockwood moved to strike out the words "Boston and Pittsburg mining company," and insert in lieu thereof the words "Pittsburg and Boston mining company, of Pittsburg ;"

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Hill,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill, entitled

A bill authorizing the supervisors of the several towns in the upper peninsula to assess and collect the State taxes upon all mining companies' real estate or other property,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Atwood,  
Beamer,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cooley,  
Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,

Mr. Haire,  
Henderson,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Jones,  
Joy,  
Lockwood,  
Miller,  
Morrison,  
Moore,

Mr. Read,  
Sessions,  
Shanahan,  
Smith,  
W. N. Stevens,  
Stewart,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Warner,  
Waterbury,

Douglas,  
Fallass,  
Gilbert,  
Goodrich,  
A. L. Green,  
N. K. Green,  
Hadley,

Peters,  
Peterson,  
Phelps,  
Piper,  
Ramsdell,  
Rankin,

Wetherby,  
Wheeler,  
T. M. Wilson  
Woodman,  
Woodward,  
Wright,

58

## NAYS.

Mr. Follett,

Mr. Pringle,

2

Title agreed-to.

On motion of Mr. Douglas,

By a vote of two-thirds of all the members elect, the bill was  
ordered to take immediate effect.

Senate bill No. 123, entitled

A bill for the collection of damages sustained by defective  
bridges on the public highways,

Was read a third time and not passed, a majority of all the  
members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,  
Beamer,  
Blakeslee,  
Brownell,  
Chapoton,  
Cooley,  
Cutcheon,  
Douglas,  
Foote,  
Gilbert,  
A. L. Green,  
N. K. Green,  
Haire,

Mr. Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Joy,  
Morrison,  
Moore,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,

Mr. Ramsdell,  
Read,  
Sessions,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wallin,  
Wheeler,  
T. M. Wilson,  
Woodward,

38

## NAYS.

Mr. Atwood,  
Bunce,  
Childs,  
Choate,  
Cox,  
Crego,  
Follett,  
Goodrich,  
Gregory,

Mr. Hadley,  
Henderson,  
Jones,  
Kanouse,  
Kelsey,  
Lockwood,  
Miller,  
Persons,  
Peters,

Mr. Shanahan,  
Smith,  
Stewart,  
Wade,  
Warner,  
Waterbury,  
Woodman,  
Wright,  
Speaker,

27

Senate bill No. 77, entitled

A bill to amend chapter 170, of the revised statutes of 1846, being chapter 200 of the compiled laws, by adding 4 new sections thereto, relative to conditional pardons,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows :

YEAS.

|                |               |               |
|----------------|---------------|---------------|
| Mr. Alexander, | Mr. Goodrich, | Mr. Phelps,   |
| Beamer,        | A. L. Green,  | Piper,        |
| Blakeslee,     | N. K. Green,  | Pratt,        |
| Brownell,      | Hadley,       | Pringle,      |
| Chase,         | Haire,        | Ramsdell,     |
| Childs,        | Hodges,       | Read,         |
| Choate,        | Howell,       | Sessions,     |
| Chapoton,      | Jones,        | Stoddard,     |
| Cooley,        | Kanouse,      | Strong,       |
| Crego,         | Leetch,       | Taylor,       |
| Cutcheon,      | Lockwood,     | Tibbits,      |
| A. W. Davis,   | Miller,       | Waterbury,    |
| C. Davis,      | Morrison,     | T. M. Wilson, |
| Ira Davis,     | Moore,        | Wright,       |
| Gilbert,       | Peterson,     | Speaker, 45   |

NAYS.

|              |              |              |
|--------------|--------------|--------------|
| Mr. Follett, | Mr. Stewart, | Mr. Wheeler, |
| Henderson,   | Toll,        | Woodman,     |
| Hurd,        | Wallin,      | Woodward, 9  |

Title agreed to.

On motion of Mr. Pringle,

By a vote of two thirds of all the members elect, the bill was ordered to take immediate effect.

Senate joint resolution, entitled

Joint resolution to provide for amendments of article 6, sections 2 and 3; article 9, section 1; article 15, sections 1, 2 and 4; article 20, section 2, of the Constitution of the State of Michigan,

Having been read a third time, and the question being upon the passage of the same;

Mr. Lockwood called for a division of the question, so that the vote might be taken on each proposition separately.

The question being upon the adoption of the following proposed amendments:

That section 1, of article 15, shall be amended so as to read as follows:

Sec. 1. Corporations may be formed under general laws, but shall not be created by special act, except for municipal purposes. All laws passed pursuant to this section may be amended, altered or repealed. But the Legislature may, by a vote of two-thirds of the members elected to each House, create a single bank with branches.

That section 2, article 15 of said constitution be so amended as to read as follows:

Sec. 2. No general banking law shall have effect until the same shall, after its passage, be submitted to a vote of the electors of the State, at a general election, and be approved by a majority of the votes cast thereon at such election.

That section 4, of article 15, of said constitution, be amended so as to read as follows:

Sec. 4. For all banks organized under general laws, the Legislature shall provide for the registry of all bills or notes issued or put in circulation as money, and shall require security to the full amount of notes and bills so registered, in State or United States stocks bearing interest, which shall be deposited with the State Treasurer for the redemption of such bills or notes in specie;

They were adopted, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|                |           |                |
|----------------|-----------|----------------|
| Mr. Alexander, | Mr. Hill, | Mr. Sessions,  |
| Beamer,        | Hodges,   | Shanahan,      |
| Blakeslee,     | Hurd,     | Smith,         |
| Brownell,      | Jones,    | W. N. Stevens, |
| Bunce,         | Joy,      | Stoddard,      |
| Chase,         | Kanouse,  | Taylor,        |
| Childs,        | Kelsey,   | Tibbits,       |
| Cox,           | Leetch,   | Toll,          |
| Crego,         | Lockwood, | Wade,          |
| Cutcheon,      | Morrison, | Wallin,        |

|              |           |               |
|--------------|-----------|---------------|
| A. W. Davis, | Moore,    | Warner,       |
| C. Davis,    | Persons,  | Waterbury,    |
| Ira Davis,   | Peters,   | Wetherby,     |
| Follett,     | Peterson, | Wheeler,      |
| Gilbert,     | Phelps,   | T. M. Wilson, |
| Goodrich,    | Piper,    | J. B. Wilson, |
| Gregory,     | Pratt,    | Winans,       |
| A. L. Green, | Pringle,  | Woodman,      |
| N. K. Green, | Ramsdell, | Woodward,     |
| Hadley,      | Rankin,   | Wright,       |
| Haire,       | Read,     | Speaker,      |
| Henderson,   |           |               |

64

## NAYS.

|             |            |              |
|-------------|------------|--------------|
| Mr. Choate, | Mr. Foote, | Mr. Stewart, |
| Cooley,     | Howell,    | Strong,      |

6

The question being upon the adoption of the following:

That section 6, of article 13, be so amended as to read as follows:

Sec. 6. There shall be elected in the year 1863, at the time of the election of a justice of the supreme court, eight regents of the University, two of whom shall hold their office for two years, two for four years, two for six years, and two for eight years. They shall enter upon the duties of their office on the first of January next succeeding their election. At every regular election of a justice of the supreme court thereafter, there shall be elected two regents whose term of office shall be eight years. Whenever a vacancy shall occur in the office of regent, it shall be filled by appointment of the Governor. The regents thus elected shall constitute the board of regents of the University of Michigan;

It was adopted, two-thirds of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS,

|                |           |                |
|----------------|-----------|----------------|
| Mr. Alexander, | Mr. Hurd, | Mr. Shanahan,  |
| Beamer,        | Jones,    | Smith,         |
| Blakeslee,     | Joy,      | W. N. Stevens, |
| Brownell,      | Kanouse,  | Stewart,       |
| Bunce,         | Kelsey,   | Stoddard,      |
| Chase,         | Leetch,   | Strong,        |
| Choate,        | Lockwood, | Taylor,        |

191

Crego,  
Cutcheon,  
Ira Davis,  
Follett,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hill,  
Hodges,  
Hood,

Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,  
Rankin,  
Read,  
Sessions,

Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodward,  
Wright,  
Speaker,

65

## NAYS.

Mr. Cooley,  
A. W. Davis,

Mr. Foote,  
Howell,

Mr. Woodman,

5

The question being upon adopting the following :

"That section 6, of article 19, of said Constitution, be amended so as to read as follows :

Section 6. That elections for all district or county officers, State Senators or Representatives within the boundaries defined in this section, shall take place on the Tuesday succeeding the first Monday of November in the respective years in which they may be required, the county canvass shall be held on the first Monday thereafter, and the district canvass on the third Monday of said November.

It was adopted, two-thirds of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Alexander,  
Atwood,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cooley,  
Crego,

Mr. Henderson,  
Hill,  
Hodges,  
Hood,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,

Mr. Sessions,  
Shanahan,  
Smith,  
W. N. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,



|              |           |               |
|--------------|-----------|---------------|
| Cutcheon,    | Miller,   | Wallin,       |
| A. W. Davis, | Morrison, | Warner,       |
| C. Davis,    | Moore,    | Waterbury,    |
| Ira Davis,   | Persons,  | Wetherby,     |
| Douglas,     | Peters,   | Wheeler,      |
| Follet,      | Peterson, | T. M. Wilson, |
| Gilbert,     | Phelps,   | J. B. Wilson, |
| Goodrich,    | Piper,    | Winans,       |
| Gregory,     | Pratt,    | Woodman,      |
| A. L. Green, | Pringle,  | Woodward,     |
| N. K. Green, | Ramsdell, | Wright,       |
| Hadley,      | Rankin,   | Speaker,      |
| Haire,       | Read,     | 71            |

## NAYS.

Mr. Foote, Mr. Howell, 2

The question being upon the adoption of the following proposed amendment,

That section two, of article twenty, of said constitution be so amended as to read as follows:

Sec. 2. At the general election to be held in the year one thousand eight hundred and sixty-six, and in each sixteenth year thereafter, and also at such other times as the Legislature may by law provide, the question of the general revision of the constitution shall be submitted to the electors qualified to vote for members of the Legislature, and in case a majority of the electors so qualified, voting at such election, shall decide in favor of a convention for such purpose, the Legislature, at the next session, shall provide by law for the election of such delegates to such convention. All the amendments shall take effect at the commencement of the year after their adoption;

It was adopted, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |                |                |
|----------------|----------------|----------------|
| Mr. Alexander, | Mr. Henderson, | Mr. Read,      |
| Beamer,        | Hill,          | Sessions,      |
| Blakeslee,     | Hodges,        | Shanahan,      |
| Brownell,      | Hood,          | Smith,         |
| Bunce,         | Hurd,          | W. N. Stevens, |
| Chase,         | Joy,           | Stewart,       |
| Childs,        | Kanouse,       | Stoddard,      |
| Chapoton,      | Kelsey,        | Strong,        |

Cox,  
Cutcheon,  
Ira Davis,  
Douglas,  
Follett,  
Gilbert,  
Goodrich,  
A. L. Green,  
N. K. Green,  
Hadley,  
Haire,

Leetch,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Rankin,

Taylor,  
Tibbits,  
Toll,  
Warner,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Woodward,  
Wright,  
Speaker,

57

## NAYS.

Mr. Atwood,  
Choate,  
Cooley,  
Crego,  
A. W. Davis,  
C. Davis,

Mr. Foote,  
Gregory,  
Howell,  
Jones,  
Miller,

Mr. Pringle,  
Wade,  
Wallin,  
Winans,  
Woodman,

16

The question then recurring upon the passage of the joint resolution, it was passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Alexander,  
Atwood,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cooley,  
Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Follett,  
Gilbert,  
Goodrich,  
Gregory,

Mr. A. L. Green,  
N. K. Green,  
Hadley,  
Haire,  
Hill,  
Hodges,  
Hood,  
Hurd,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,

Mr. Rankin,  
Read,  
Sessions,  
Shanahan,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wallin,  
Warner,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Wright,  
Speaker,

60

## NAYS.

Mr. Foote,

Mr. Howell,

Mr. Jones,

3

Title agreed to.

The following is the joint resolution, as passed by the House:

**JOINT RESOLUTION** to provide for amendments of article fifteen, sections one, two and four; article thirteen, section six; article nineteen, section six; and article twenty, section two, of the Constitution of the State of Michigan.

*Resolved by the Senate and House of Representatives of the State of Michigan*, That the following amendments be and the same are hereby proposed to the constitution of the State of Michigan, that is to say:

That section 1, of article 15, shall be amended so as to read as follows :

Sec. 1. Corporations may be formed under general laws, but shall not be created by special act, except for municipal purposes. All laws passed pursuant to this section may be amended, altered or repealed. But the Legislature may, by a vote of two-thirds of the members elected to each House, create a single bank with branches.

That section 2, article 15, of said Constitution, be so amended as to read as follows :

Sec. 2. No general banking law shall have effect until the same shall, after its passage, be submitted to a vote of the electors of the State, at a general election, and be approved by a majority of the votes cast thereon at such election.

That section 4, of article 15, of said Constitution, be amended so as to read as follows :

Sec. 4. For all banks organized under general laws, the Legislature shall provide for the registry of all bills or notes issued or put in circulation as money, and shall require security to the full amount of notes and bills so registered, in State or United States stocks, bearing interest, which shall be deposited with the State Treasurer, for the redemption of such bills or notes, in specie.

That section 6, of article 13, shall be amended so as to read as follows :

Sec. 6. There shall be elected in the year 1863, at the time of

the election of a justice of the supreme court, eight regents of the University, two of whom shall hold their office for two years, two for six years, and two for eight years. They shall enter upon the duties of their office on the first of January next succeeding their election. At every regular election of a justice of the supreme court thereafter, there shall be elected two regents, whose term of office shall be eight years. Wherever a vacancy shall occur in the office of regent, it shall be filled by appointment of the Governor. The regents thus elected shall constitute the Board of Regents of the University of Michigan.

That section 6, of article 19, of said constitution, be amended so as to read as follows:

Sec. 6. That elections for all district or county officers, State Senators or Representatives within the boundaries defined in this section, shall take place on the Tuesday succeeding the first Monday of November in the respective years in which they may be required, the county canvass shall be held on the first Monday thereafter, and the district canvass on the third Monday of said November.

That section 2, of article 20, of said constitution be so amended as to read as follows:

Sec. 2. At the general election to be held in the year 1866, and in each sixteenth year thereafter, and also at such other times as the Legislature may by law provide, the question of the general revision of the constitution shall be submitted to the electors qualified to vote for members of the Legislature, and in case a majority of the electors so qualified, voting at such election, shall decide in favor of a convention for such purpose, the Legislature, at the next session, shall provide by law for the election of such delegates to such convention. All the amendments shall take effect at the commencement of the year after their adoption.

The above amendments to the constitution shall be submitted to the people at the next general election, as provided in section one, of article twenty of the constitution, which said election will be held on the Tuesday succeeding the first Monday of

November, 1862; and the Secretary of State is hereby required to give notice of the same, by transmitting to the sheriff of each organized county by mail or otherwise, a notice in writing or a printed circular, containing a statement of the several amendments hereby proposed; which sheriffs severally are hereby required, as soon as may be, after the receipt of such notice; to cause a notice in writing or printed to be delivered to the township clerk of each township, and to one of the inspectors of elections in each ward in any city; which notice shall contain in substance the notice so received by such sheriff, and the inspectors of election in the several townships and cities of the State, shall prepare a suitable ballot box for the reception of ballots cast for and against said amendments. Each person voting for such amendments shall have written or printed on his ballot, the words:

Amendments as to banks—Yes.

Amendment as to Regents of University—Yes.

Amendment as to elections in Upper Peninsula—Yes.

Amendment as to amendments of Constitution—Yes.

And those voting against said amendments:

Amendment as to banks—No.

Amendment as to Regents of University—No.

Amendment as to elections in Upper Peninsula—No.

Amendment as to amendments of Constitution—No.

Mr. Howell moved that the House adjourn;

Which motion did not prevail.

Mr. Morrison moved that the House adjourn till to-morrow morning at 8 o'clock;

Which motion did not prevail.

Senate bill No. 107, entitled

A bill to authorize the district judge of the Upper Peninsula to convey certain lands held in trust under the act of Congress, of May 23, A. D. 1844,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|                |                  |               |
|----------------|------------------|---------------|
| Mr. Alexander, | Mr. A. L. Green, | Mr. Piper,    |
| Atwood,        | N. K. Green,     | Pratt,        |
| Beamer,        | Hadley,          | Pringle,      |
| Blakeslee,     | Haire,           | Rankin,       |
| Brownell,      | Hill,            | Read,         |
| Bunce,         | Hodges,          | Stoddard,     |
| Chase,         | Hood,            | Strong,       |
| Childs,        | Hurd,            | Taylor,       |
| Choate,        | Kanouse,         | Tibbits,      |
| Cooley,        | Kelsey,          | Toll,         |
| Crego,         | Leetch,          | Wallin,       |
| Cutcheon,      | Lockwood,        | Warner,       |
| C. Davis,      | Miller,          | Wetherby,     |
| Ira Davis,     | Moore,           | J. B. Wilson, |
| Douglas,       | Persons,         | Woodman,      |
| Gilbert,       | Peterson,        | Woodward,     |
| Goodrich,      | Phelps,          | Speaker,      |
| Gregory,       |                  |               |

52

## NAYS.

|                  |                |              |
|------------------|----------------|--------------|
| Mr. A. W. Davis, | Mr. Morrison,  | Mr. Stewart, |
| Follett,         | Sessions,      | Wade,        |
| Foote,           | Shanahan,      | Wheeler,     |
| Henderson,       | W. N. Stevens, | Winans,      |

12

Title agreed to.

On motion of Mr. Pratt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 81, entitled

A bill to amend section 8, of chapter 65, of the revised statutes of 1846, regulating the execution of deeds and other instruments affecting real estate,

Being under consideration,

On motion of Mr. Pratt,

The bill was laid on the table.

Senate bill No. 94, entitled

A bill to authorize the Auditor General to vacate and set aside certain tax sales and deeds thereon,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|              |           |                |
|--------------|-----------|----------------|
| Mr. Beamer,  | Mr. Hurd, | Mr. Smith,     |
| Blakeslee,   | Joy,      | W. N. Stevens, |
| Brownell,    | Kelsey,   | Stewart,       |
| Bunce,       | Lockwood, | Stoddard,      |
| Childs,      | Morrison, | Strong,        |
| Choate,      | Moore,    | Taylor,        |
| Chapoton,    | Peters,   | Tibbits,       |
| A. W. Davis, | Peterson, | Toll,          |
| C. Davis,    | Phelps,   | Wade,          |
| Ira Davis,   | Piper,    | Wallin,        |
| Gregory,     | Pratt,    | Warner,        |
| Hadley,      | Pringle,  | Wetherby,      |
| Hill,        | Rankin,   | J. B. Wilson,  |
| Hodges,      | Read,     | Wright,        |
| Hood,        |           | 43             |

## NAYS.

|                |              |              |
|----------------|--------------|--------------|
| Mr. Alexander, | Mr. Gilbert, | Mr. Wheeler, |
| Cooley,        | Haire,       | Winans,      |
| Orego,         | Leetch,      | Woodman,     |
| Follett,       | Sessions,    | Speaker,     |
| Foote,         |              | 18           |

Mr. Morrison moved to reconsider the vote whereby the bill passed.

Mr. Pratt moved to lay the motion to reconsider on the table;  
Which motion did not prevail.

The motion to reconsider prevailed.

The question recurring upon the passage of the bill, a majority of all the members elect voting therefor, it was passed, by yeas and nays, as follows :

## YEAS.

|              |           |                |
|--------------|-----------|----------------|
| Mr. Beamer,  | Mr. Hill, | Mr. Pringle,   |
| Blakeslee,   | Hodges,   | Rankin,        |
| Childs,      | Hood,     | Shanahan,      |
| Choate,      | Hurd,     | Smith,         |
| Chapoton,    | Joy,      | W. N. Stevens, |
| Cooley,      | Kanouse,  | Stewart,       |
| Cutcheon,    | Kelsey,   | Strong,        |
| Ira Davis,   | Lockwood, | Taylor,        |
| Gilbert,     | Moore,    | Tibbits,       |
| Gregory,     | Persons,  | Toll,          |
| A. L. Green, | Peters,   | Wade,          |

N. K. Green,  
Hadley,  
Haire,  
Henderson,

Peterson,  
Phelps,  
Piper,  
Pratt,

Warner,  
Woodward,  
Wright,

44

## NAYS.

Mr. Alexander,  
Brownell,  
Chase,  
Crego,  
Douglas,  
Follett,

Mr. Foote,  
Goodrich,  
Jones,  
Leetch,  
Sessions,  
Stoddard,

Mr. Wheeler,  
J. B. Wilson,  
Winans,  
Woodman,  
Speaker,

17

Senate bill No. 47, entitled

A bill to amend section 12, of chapter 23, of the compiled laws,  
relative to the obstruction of the navigation of rivers or  
streams declared public highways,

Being under consideration,

On motion of Mr. Pratt,

The bill was indefinitely postponed.

Senate bill No. 126, entitled

A bill to authorize the several townships of the counties of  
Muskegon, Oceana, Mason and Manistee, to levy taxes for the  
improvement of harbors and rivers within their respective coun-  
ties,

Was read a third time and passed, a majority of all the mem-  
bers elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Alexander,  
Beamer,  
Blakeslee,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cooley,  
Crego,  
Cutcheon,  
Follett,  
Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,

Mr. Haire,  
Hodges,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peterson,  
Phelps,  
Piper,  
Pratt,

Mr. Rankin,  
Read,  
Shanahan,  
Smith,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Wetherby,  
Woodman,

46



## NAYS.

|              |                |               |    |
|--------------|----------------|---------------|----|
| Mr. Bunce,   | Mr. Gilbert,   | Mr. Wheeler,  |    |
| A. W. Davis, | Peters,        | J. B. Wilson, |    |
| Ira Davis,   | W. N. Stevens, | Wright,       | 9. |

Title agreed to.

On motion of Mr. Childs,

By a vote of two thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 122, entitled

A bill to confirm certain sales of land made by the Commissioner of the Land Office, August 4, 1859,

Being under consideration,

On motion of Mr. Howell,

The bill was laid on the table.

On motion of Mr. Alexander,

The House adjourned till to-morrow morning at 8 o'clock.

---

*Lansing, Thursday, March 14, 1861.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Potter.

Roll called: quorum present.

## MESSAGES FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bills:

1. House bill No. 176, entitled

A bill to amend an act entitled an act further to preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors;

2. A bill to appropriate 2,500 acres of swamp lands to open and improve the State road from Mecosta County to the county seat of Oceana county;

**§3. House bill No. 139, entitled**

A bill to amend chapter 10 of the compiled laws, in relation to certain duties and compensations of county surveyors;

In the passage of which the Senate has concurred, by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed to return to the House the following entitled bill :

A bill to establish and regulate a mining school in the Upper Peninsula,

Which the Senate has amended by striking out section four of the bill,

In the passage of which, so amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Douglas moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Alexander  
Atwood,  
Baker,  
Blakeslee,  
Brownell,  
Bunce,

Mr. Gregory,  
Haire,  
Hill,  
Hodges,  
Howell,  
Jey,

Mr. Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,

|              |           |             |
|--------------|-----------|-------------|
| Chase,       | Kanouse,  | Stoddard,   |
| Childs,      | Kelsey,   | Strong,     |
| Choate,      | Leetch,   | Taylor,     |
| Cooley,      | Lockwood, | Tibbits,    |
| Cutcheon,    | Morrison, | Wade,       |
| A. W. Davis, | Peters,   | Warner,     |
| Ira Davis,   | Peterson, | Waterbury,  |
| Douglas,     | Phelps,   | Wetherby,   |
| Fallass,     | Piper,    | Wheeler,    |
| Footé,       | Pratt,    | Winans,     |
| Fowle,       | Ramsdell, | Woodman,    |
| Gilbert,     | Rankin,   | Woodward,   |
| Goodrich,    | Read,     | Speaker, 57 |

## NAYS.

Mr. Follett,

Mr. J. B. Wilson,

2.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bill :

A bill to amend an act entitled an act to provide a military fund in aid of the uniformed volunteer militia, approved February 14, 1859 ;

And to inform the House that the Senate has concurred in the first and third amendments, and amended the second by striking out the word "fortieth," and inserting "twentieth ;"

In which amendment the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The House refused to concur in the amendment made to the bill by the Senate.

Also the following:

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bills:

1. House bill No. 148, entitled

A bill to amend sections 3, 4, 6 and 12, of an act entitled an act authorizing the commissioners of highways of townships to establish water courses, and locate ditches, in certain cases, approved February 18, 1859;

2. House bill, entitled

A bill to amend an act entitled an act to prevent fishing with seines and every kind of nets, in certain counties in the State of Michigan;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following:

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bill:

House bill No. 72, entitled

A bill to provide a military force,

Which the Senate has amended by striking out section six,

In the passage of which, as amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. A. W. Davis moved that the House concur in the amendment made to the bill by the Senate;

Which motion prevailed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|                |                  |                |
|----------------|------------------|----------------|
| Mr. Alexander, | Mr. A. L. Green, | Mr. Smith,     |
| Baker,         | Hodges,          | W. N. Stevens, |
| Blakeslee,     | Hood,            | A. Stevens,    |
| Brownell,      | Kanouse,         | Stoddard,      |
| Bunce,         | Kelsey,          | Strong,        |
| Chase,         | Leetch,          | Taylor,        |
| Childs,        | Lockwood,        | Tibbits,       |
| Cooley,        | Morrison,        | Wade,          |
| A. W. Davis,   | Moore,           | Warner,        |
| C. Davis,      | Persons,         | Waterbury,     |
| Ira Davis,     | Peterson,        | Wheeler,       |
| Douglas,       | Phelps,          | J. B. Wilson,  |
| Fallas,        | Piper,           | Winans,        |
| Foote,         | Pratt,           | Woodman,       |
| Fowle,         | Sessions,        | Woodward,      |
| Goodrich,      | Shank,           | Speaker,       |
| Gregory,       | Shanahan,        |                |

49

## NAYS.

|             |            |           |
|-------------|------------|-----------|
| Mr. Choate, | Mr. Haire; | Mr. Toll, |
| Follett,    | Peters,    | Wetherby, |
| Hadley,     | Ramsdell,  |           |

8

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to transmit the following:  
Senate bill No. 132, entitled

A bill making a grant of swamp lands to promote the early completion of a railroad from the mouth of the Menominee river to Marquette, on Lake Superior, in the Upper Peninsula,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators

elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and

On motion of Mr. Warner,

The bill was referred to a select committee of three.

The Speaker appointed Messrs. Warner, Lockwood and Douglas, as such committee.

Also the following:

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bills:

1. House bill, entitled

A bill to amend act No. 144, of session laws of 1859, being an act to amend act No. 21, of session laws of 1858, it being an act to amend act No. 63, of session laws of 1857, entitled an act to lay out and establish a State road in the counties of Sanilac and Tuscola;

2. House bill No. 167, entitled

A bill to confer certain powers upon the boards of supervisors of the counties of Marquette and Delta;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following:

SENATE CHAMBER,  
*Lansing, March 13, 1861.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bill:

House bill No. 5, entitled

A bill to facilitate the commencement of suits against joint defendants residing in several counties,

To which the Senate has made several amendments, which are thereto attached;

In the passage of which, as amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Howell moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|                |             |                |
|----------------|-------------|----------------|
| Mr. Alexander, | Mr. Hodges, | Mr. Shanahan,  |
| Atwood,        | Hood,       | W. N. Stevens, |
| Baker,         | Howell,     | Stewart,       |
| Blakeslee,     | Joy,        | Stoddard,      |
| Brownell,      | Kanouse,    | Strong,        |
| Childs,        | Kelsey,     | Taylor,        |
| Choate,        | Leetch,     | Tibbits,       |
| Crego,         | Lockwood,   | Toll,          |
| A. W. Davis,   | Morrison,   | Wade,          |
| C. Davis,      | Persons,    | Warner,        |
| Ira Davis,     | Peters,     | Waterbury,     |
| Douglas,       | Peterson,   | Wetherby,      |
| Fallass,       | Phelps,     | Wheeler,       |
| Fowle,         | Piper,      | J. B. Wilson,  |
| Gilbert,       | Ramsdell,   | Winans,        |
| Goodrich,      | Rankin,     | Woodman,       |
| A. L. Green,   | Read,       | Woodward,      |

N. K. Green,  
Hill,

Sessions,  
Shank,

Speaker,

56

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Also the following:

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following entitled bill:

House bill No. 37, entitled

A bill to provide for an additional circuit court commissioner in certain counties,

Accompanied by a substitute therefor;

In the passage of which substitute, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Howell moved that the House concur in the adoption of the substitute adopted by the Senate;

The substitute was adopted, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Alexander,  
Baker,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cooley,  
Crego,  
Ira Davis,  
Fallass,  
Foote,  
Fowle,  
Gilbert,

Mr. Hood,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peterson,  
Piper,  
Pratt,

Mr. Read,  
Sessions,  
Shank,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Warner,  
Waterbury,  
Wetherby,  
Winans,



Goodrich,  
Gregory,  
N. K. Green,  
Hill,

Pringle,  
Ramsdell,  
Rankin,

Woodman,  
Woodward,  
Speaker,

55

## NAYS.

Mr. Follett,  
A. L. Green,

Mr. Haire,

Mr. J. B. Wilson,

4

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Also the following:

SENATE CHAMBER, }  
*Lansing, March 13, 1861.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bill:

A bill to amend an act entitled an act to establish teachers institutes, approved February 10, 1855;

Which the Senate has amended by striking out, in the second line of section 2, the words "for said institute;" and in line fifth, section 2, the words "and twenty-five;"

In the passage of which, as amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Cutcheon moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,  
Atwood,  
Blakeslee,  
Brownell,  
Chase,  
Childs,  
Cox,  
Crego,  
Cutcheon,

Mr. Hemingway,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Jones,  
Joy,  
Kanouse,

Mr. Read,  
Sessions,  
Shank  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,

C. Davis,  
Ira Davis,  
Fallass,  
Foote,  
Fowle,  
Goodrich,  
Gregory,  
A. L. Green,  
Hadley,  
Haire,

Kelsey,  
Leetch,  
Lockwood,  
Moore,  
Persons,  
Peterson,  
Piper,  
Pratt,  
Pringle,  
Rankin,

Strong,  
Tibbits,  
Toll,  
Warner,  
Waterbury,  
Wetherby,  
Winans,  
Woodward,  
Speaker,

56

## NAYS.

Mr. Cooley,  
Follet,

Mr. Gilbert,  
Wheeler,

Mr. J. B. Wilson,

5

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER, }  
*Lansing, March 13, 1861.* }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed to return to the House the following entitled bill :

A bill to provide for the purchase of a collection of township laws for the several townships of this State ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER, }  
*Lansing, March 13, 1861.* }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed to return to the House the following entitled bills :

A bill to amend act No. 255 of the laws of 1859, approved

February 15, 1859, entitled an act to provide for laying out and establishing a State road from Midland City, in the county of Midland, to St. Charles, in Saginaw county ;

House bill, entitled

A bill to amend section 1 of an act entitled an act appropriating certain highway taxes for the improvement of a road in the counties of Saginaw, Tuscola, Genesee and Lapeer ;

House bill, entitled

A bill to authorize proceedings of garnishment in the circuit courts and the district court of the Upper Peninsula ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to re-transmit the following entitled bill :

A bill to organize the township of Strickland,

And to inform the House that the Senate does concur in the amendments made thereto by the House.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Waterbury moved that the House recede from its amendments made to the bill ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Atwood,  
Baker,  
Blakeslee,

Mr. N. K. Green,  
Haire,  
Hemingway,

Mr. Shank,  
Shanahan,  
Smith,

Brownell,  
 Bunce,  
 Chase,  
 Childs,  
 Choate,  
 Crego,  
 Cutcheon,  
 A. W. Davis,  
 C. Davis,  
 Ira Davis,  
 Douglas,  
 Fallass,  
 Foote,  
 Fowle,  
 Gilbert,  
 Goodrich,

Hodges,  
 Hurd,  
 Kanouse,  
 Leetch,  
 Lockwood,  
 Morrison,  
 Persons,  
 Peters,  
 Peterson,  
 Piper,  
 Pringle,  
 Ramsdell,  
 Rankin,  
 Read,  
 Sessions,

W. N. Stevens,  
 Stewart,  
 Stoddard,  
 Strong,  
 Taylor,  
 Tibbits,  
 Waterbury,  
 Wetherby,  
 Wheeler,  
 J. B. Wilson,  
 Winans,  
 Woodman,  
 Woodward,  
 Wright,  
 Speaker,

55

## NAYS.

Mr. Follet,

1

The bill was then referred to the committee on engrossment and enrollment for enrollment.

By unanimous consent, the following report was submitted:

The undersigned, a special committee, to whom was referred Senate bill, entitled

A bill making a grant of swamp lands to promote the early completion of a railroad from the mouth of the Menominee river to Marquette, on Lake Superior, in the Upper Peninsula,

Respectfully reports that he has examined the bill and finds it to be a provision for aid in constructing a railroad from the Wisconsin State line, at the mouth of the Menominee, to connect with another system of railroads heretofore provided for, at Marquette. The lower seventy miles of the route is a wilderness, and it consists largely of swamps and without inhabitants. The road is intended to connect with what is called the Iron Mountain Road, and in the opinion of the undersigned, who is somewhat familiar with the country, is a mesitorious project. If any parties will build this road with the aid afforded by this bill, they should be encouraged to do so. The railroad will probably drain the lands through which it passes better than

common roads. The undersigned recommends the passage of the bill, and asks to be discharged therefrom.

THOS. W. LOCKWOOD.

Report accepted and committee discharged.

On motion of Mr Pratt,

The bill was placed on its final passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

|                |                |                |
|----------------|----------------|----------------|
| Mr. Alexander, | Mr. Hemingway, | Mr. Rankin,    |
| Atwood,        | Hill,          | Read,          |
| Baker,         | Hodges,        | Shank,         |
| Bunce,         | Hood,          | Shanahan,      |
| Chase,         | Howell,        | W. N. Stevens, |
| Choate,        | Hurd,          | A. Stevens,    |
| Coolcy,        | Jones,         | Stoddard,      |
| A. W. Davis,   | Kanouse,       | Strong,        |
| Ira Davis,     | Kelsey,        | Taylor,        |
| Douglas,       | Leetch,        | Tibbits,       |
| Foote,         | Lockwood,      | Toll,          |
| Fowle,         | Morrison,      | Wade,          |
| Gilbert,       | Persons,       | Warner,        |
| Goodrich,      | Peters,        | Waterbury,     |
| Gregory,       | Peterson,      | Wetherby,      |
| A. L. Green,   | Pratt,         | T. M. Wilson,  |
| N. K. Green,   | Pringle,       | Winans,        |
| Hadley,        | Ramsdell,      | Wright,        |
| Haire,         |                |                |

55

NAYS.

|            |              |              |
|------------|--------------|--------------|
| Mr. Crego, | Mr. Follett, | Mr. Woodman, |
| C. Davis,  | Wheeler,     |              |

5

Title agreed to.

On motion of Mr. Douglas,

By a vote of two thirds of all the members elect, the bill was ordered to take immediate effect.

By unanimous consent, the Speaker announced the following

## MESSAGES FROM THE SENATE:

SENATE CHAMBER,  
*Lansing, March 13, 1861.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bill:

A bill to organize the townships of Paris and Verona, in Huron county.

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The bill was read a first and second time, by its title, and  
 On motion of Mr. Waterbury,

The bill was placed on its final passage.

The bill was then read a third time, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Baker,  
 Blakeslee,  
 Brownell,  
 Bunce,  
 Choate,  
 Cooley,  
 A. W. Davis,  
 C. Davis,  
 Ira Davis,  
 Fallass,  
 Foote,  
 Fowle,  
 Gilbert,  
 Gregory,  
 Hadley,  
 Hodges,  
 Hood,

Mr. Howell,  
 Hurd,  
 Joy,  
 Kanouse,  
 Kelsey,  
 Lockwood,  
 Persons,  
 Peters,  
 Peterson,  
 Piper,  
 Pratt,  
 Ramsdell,  
 Rankin,  
 Read,  
 Shanahan,  
 Smith,

Mr. W. N. Stevens,  
 A. Stevens,  
 Stewart,  
 Stoddard,  
 Strong,  
 Tibbits,  
 Toll,  
 Wade,  
 Warner,  
 Waterbury,  
 Wetherby,  
 Wheeler,  
 T. M. Wilson,  
 J. B. Wilson,  
 Wright,  
 Speaker,

## NAYS

Mr. Atwood,                      Mr. Follett,                      Mr. Woodward,      3

Title agreed to.

On motion of Mr. Waterbury,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Also the following :

SENATE CHAMBER, }  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed to return to the House the following entitled bill :

House bill, entitled

A bill to amend an act entitled an act to incorporate the city of Jackson, approved February 14, 1857 ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER, }  
Lansing, March 13, 1861. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed to return to the House the following entitled bills:

1. House bill, entitled

A bill to attach certain unorganized townships to the county of Marquette;

2. House bill, entitled

A bill to prevent officers and clerks employed in the State Land office, and in the Auditor General's office, from purchasing lands at such offices;

3. House bill, entitled

A bill to amend section 2, chapter 119, of the revised statutes of 1846, being section 3967 of the compiled laws;

4. House bill, entitled

A bill making appropriations for the support of the State Normal School;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER, }  
Lansing, March 14, 1861. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following entitled bill :

House bill No. 70, entitled

A bill to provide for the floating of logs and timber in the streams of this State ;

To which the Senate has made sundry amendments, which are attached thereto ;

In the passage of which, so amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Howell moved that the House concur in the amendments made by to the bill by the Senate ;

Which motion prevailed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Alexander,  
Atwood,  
Baker,  
Blakeslee,

Mr. Hadley,  
Hemingway,  
Hill,  
Hood,

Mr. W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,



|              |           |               |
|--------------|-----------|---------------|
| Brownell,    | Howell,   | Taylor,       |
| Childs,      | Hurd,     | Tibbits,      |
| Choate,      | Kanouse,  | Toll,         |
| Cooley,      | Kelsey,   | Wade,         |
| Cutcheon,    | Lockwood, | Warner,       |
| A. W. Davis, | Morrison, | Waterbury,    |
| Ira Davis,   | Persons,  | Wheeler,      |
| Fallass,     | Peters,   | T. M. Wilson, |
| Fowle,       | Pratt,    | J. B. Wilson, |
| Goodrich,    | Rankin,   | Winans,       |
| Gregory,     | Shank,    | Woodward,     |
| A. L. Green, | Smith,    |               |

47

## NAYS.

|               |            |               |
|---------------|------------|---------------|
| Mr. C. Davis, | Mr. Haire, | Mr. Ramsdell, |
| Follet,       | Hodges,    | Shanahan,     |
| Gilbert,      | Jones,     |               |

8

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Mr. Gilbert moved that there be a call of the House ;

Which motion prevailed.

Upon the call by the Clerk, Messrs. Beamer, Chapoton, Crego, N. K. Green, Henderson, Hill, Hurd, Leetch, Morrison, Phelps, Wallin and Woodman, were reported absent without leave.

On motion of Mr. Lockwood,

Mr. Chapoton was excused for non-attendance, on account of sickness in his family.

On motion of Mr. Pratt,

All further proceedings under the call were dispensed with.

By unanimous consent, the committee on judiciary submitted the following report:

The committee on the judiciary, to whom were referred

Three petitions asking for a law requiring the registration of births, deaths and marriages;

Nine petitions for a more stringent usury law;

The petition of Mayor Barton and 26 others, citizens of East Saginaw for an extension of time for the collection of taxes in said city;

The petition of Henry Hutchinson and others, asking for an

extension of time for the collection of taxes in the township of Lockport, and county of St. Joseph;

The petition of Charles W. Clisby and others for an amendment of section 5690, of the compiled laws;

A petition for the extension of the elective franchise to colored persons;

The petition of the township treasurer of Napoleon, Jackson county, for an extension of time for the collection of taxes in said township;

A petition from the Young Mens' Society of the city of Detroit;

A resolution of the common council of the city of East Saginaw as to assessment roll;

A remonstrance against the repeal of the liquor law;

Ten petitions for the restoration of the wine and beer clause of the prohibitory liquor law;

Two petitions for the repeal of the charter of the Jackson & Michigan plank road company, and three remonstrances against the same;

Return the same to the House, and ask to be discharged from the consideration thereof.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

By unanimous consent, the committee on banks and incorporations submitted the following report :

The committee on banks and incorporations, to whom was referred petitions, as follows :

1. That of Orrin J. Welch and 32 others, praying for an act to incorporate the village of Decatur ;

2. That of S. Hunt and 50 others, for a bank law, similar to that of Ohio and Indiana ;

3. That of sundry persons, praying relief against taxes in 9th ward, Detroit ;

4. That of Wm. R. McCormick and Albert Miller, in regard to Daylish Addition ;

5. That of Simeon Hunt and 70 others, for the incorporation of the village of Lowell ;

Also, remonstrances, as follows :

1. Of Arba Richmond and 80 others, against amendment of charter of Lowell ;

2. Of the city of Detroit, against change of its boundaries ;

3. Of S. C. Osborne and 35 others, against vacating a portion of the village of Constantine ;

Respectfully report that the same have been considered, and are returned to the House without recommendation.

E. PRINGLE, *Chairman.*

Report accepted and committee discharged.

By unanimous consent, the committee on public lands submitted the following report :

The committee on public lands, to whom was referred Senate bill, entitled

A bill to appropriate certain swamp lands for the building and improvement of the Meridian line road from the corporation line of the village of Hudson, in Lenawee county, to the State line between Ohio and Michigan,

Would respectfully report that we have had the same under consideration, and after careful consideration, have come to the conclusion that the bill ought not to pass, and ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

J. C. WATERBURY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Childs,

The bill was laid on the table.

By unanimous consent, the committee on agriculture and manufactures submitted the following report:

The committee on agriculture and manufactures, to whom was referred

House bill, entitled

A bill to amend an act entitled an act to incorporate the

Michigan Association for the improvement in the breed of horses, approved April 23, 1833,

Respectfully report that they have had the same under consideration, and have instructed me to return the same to the House and recommend that it do not pass, and ask to be discharged from the further consideration thereof.

JAMES WEBSTER CHILDS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Childs,

The bill was laid on the table.

Mr. Hill moved to take from the table House bill, entitled

A bill to enlarge the boundaries of school district No. —, in Pontiac, Oakland county ;

Which motion prevailed.

On motion of Mr. Hill,

The bill was placed on its final passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|                |             |                |
|----------------|-------------|----------------|
| Mr. Alexander, | Mr. Hadley, | Mr. Smith,     |
| Atwood,        | Hemingway,  | W. N. Stevens, |
| Baker,         | Hill,       | A. Stevens,    |
| Blakeslee,     | Hood,       | Stewart,       |
| Brownell,      | Hurd,       | Stoddard,      |
| Bunce,         | Joy,        | Strong,        |
| Childs,        | Kanouse,    | Taylor,        |
| Cooley,        | Kelsey,     | Tibbits,       |
| Crego,         | Lockwood,   | Toll,          |
| Cutcheon,      | Persons,    | Wade,          |
| A. W. Davis,   | Peters,     | Warner,        |
| Ira Davis,     | Piper,      | Waterbury,     |
| Foote,         | Pratt,      | Wetherby,      |
| Fowle,         | Ramsdell,   | Wheeler,       |
| Gilbert,       | Rankin,     | T. M. Wilson,  |
| Goodrich,      | Read,       | J. B. Wilson,  |
| Gregory,       | Sessions,   | Wright,        |
| A. L. Green,   | Shank,      |                |

53

#### NAYS.

|          |                  |             |
|----------|------------------|-------------|
| Mr. Cox, | Mr. N. K. Green, | Mr. Winans, |
| Follett, | Pringle,         | Woodward,   |

6

Title agreed to.

On motion of Mr. Cooley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By unanimous consent, the committee on ways and means submitted the following report:

The committee on ways and means, to whom was referred Senate bill, entitled

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, and the acts amendatory thereto, approved February 12, 1855, and February 4, 1858,

Respectfully report that they have had the same under consideration, return the same to the House and recommend that it do pass, and ask to be discharged from the further consideration of the same.

**JAMES F. JOY, *Chairman.***

Report accepted and committee discharged.

On motion of Mr. Joy,

The bill was placed on its final passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

**YEAS.**

|                       |                         |                    |
|-----------------------|-------------------------|--------------------|
| <b>Mr. Alexander,</b> | <b>Mr. N. K. Green,</b> | <b>Mr. Rankin,</b> |
| Atwood,               | Hadley,                 | Read,              |
| Baker,                | Haire,                  | Shank,             |
| Bunce,                | Hemingway,              | W. N. Stevens,     |
| Childs,               | Hodges,                 | A. Stevens,        |
| Choate,               | Hood,                   | Stewart,           |
| Cooley,               | Howell,                 | Stoddard,          |
| Crego,                | Hurd,                   | Strong,            |
| Cutcheon,             | Joy,                    | Taylor,            |
| C. Davis,             | Kanouse,                | Tibbits,           |
| Ira Davis,            | Kelsey,                 | Wade,              |
| Douglas,              | Morrison,               | Warner,            |
| Fallass,              | Persons,                | Waterbury,         |
| Fowle,                | Peters,                 | Wetherby,          |
| Gilbert,              | Peterson,               | Wheeler,           |

Goodrich,  
Gregory,  
A. L. Green,

Piper,  
Pratt,  
Ramsdell,

J. B. Wilson,  
Woodward,

53

NAYS.

Mr. Brownell,

Mr. Follett,

2

Title agreed to.

By unanimous consent, the Speaker announced the following:

STATE TREASURER'S OFFICE, }  
Lansing, March 14, 1861. }

HON. DEXTER MUSSKY, *Speaker of the House of Representatives:*

SIR:—In accordance with the joint resolution of the Legislature, I herewith furnish you with a statement of items received from John McKinney, late State Treasurer, to be charged to suspended debt account.

Very respectfully,

J. OWEN, *State Treasurer.*

*List of items received from John McKinney, late State Treasurer, to be charged to suspended debt account.*

Theo. Hunter's draft, as Deputy State Treasurer, on

J. McKinney, Treasurer, (balance,)..... \$ 590 00

B. C. Whittemore's draft as State Treasurer, on J.

C. Bailey, as Deputy State Treasurer,..... 175 00

Howard Smith & Co., certificate of deposit,..... 119 00

Hosmer & Kerr's receipt for advances,..... 2,295 66

E. H. Hazelton & Co.'s certificate of deposit,..... 50,000 00

J. McKinney's account for traveling expenses,..... 596 33

Lansing city orders,..... 1,580 36

---

\$55,356 40

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J. OWEN, *State Treasurer.*

Laid on the table.

By unanimous consent, the Speaker announced the following

## MESSAGE FROM THE SENATE:

SENATE CHAMBER,  
Lansing, March 14, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, (the House concurring,) That the Secretary of the Senate and Clerk of the House be directed to send the remaining journals of the Senate and House of Representatives to the several members and officers of the Senate and House of Representatives by mail, pre-paying the postage thereon; and that all postage so paid by them be certified by them to the Auditor General, who shall draw his warrant for the same;

Which has passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

On motion of Mr. Lockwood,

The House concurred in the adoption of the resolution.

The Speaker called Mr. Howell to the chair.

By unanimous consent, the committee on ways and means submitted the following report:

The committee on ways and means, to whom was referred Senate bill, entitled

A bill to repeal an act to furnish the Michigan Journal of Education to school districts, approved February 14, 1857,

Have had the same under consideration, and have instructed me to report the same back without amendment, recommend that it do pass, and ask to be discharged from the further consideration of the subject.

## ALONZO SESSIONS.

Report accepted and committee discharged.

Mr. Sessions moved that the bill be placed on its final passage;

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|                |                |               |
|----------------|----------------|---------------|
| Mr. Alexander, | Mr. N K Green, | Mr. Smith,    |
| Atwood,        | Hadley,        | A. Stevens,   |
| Blakeslee,     | Hemingway,     | Stewart,      |
| Chase,         | Hodges,        | Strong,       |
| Choate,        | Joy,           | Taylor,       |
| Cooley,        | Miller,        | Tibbits,      |
| Cox,           | Moore,         | Toll,         |
| Orego,         | Persons,       | Warner,       |
| A. W. Davis,   | Peterson,      | Waterbury,    |
| O. Davis,      | Piper,         | Wetherby,     |
| Ira Davis,     | Pratt,         | Wheeler,      |
| Douglas,       | Ramsdell,      | J. B. Wilson, |
| Follett,       | Read,          | T. M. Wilson, |
| Foote,         | Sessions,      | Winans,       |
| Gregory,       | Shank,         | Woodman, 45   |

## NAYS.

|            |                  |                |
|------------|------------------|----------------|
| Mr. Baker, | Mr. A. L. Green, | Mr. Pringle,   |
| Childs,    | Haire,           | Rankin,        |
| Cutcheon,  | Howell,          | W. N. Stevens, |
| Fallass,   | Hurd,            | Stoddard,      |
| Fowle,     | Kelsey,          | Woodward,      |
| Gilbert,   | Lockwood,        | Wright,        |
| Goodrich,  | Morrison,        | Speaker, 21    |

Title agreed to.

By unanimous consent, the the committee on roads and bridges submitted the following report:

The committee on roads and bridges, to whom was recommit-  
ted House bill, entitled

A bill to lay out and establish a State road from the township of Danby, in the county of Ionia, to Pewamo, on the Detroit and Milwaukee railroad;

Also, a petition of T. C. Ripley and others;

Have instructed me to report the same back, and recommend  
~~that no further action be had on the same.~~

N. K. GREEN, *Chairman.*

Report accepted and committee discharged.



On motion of Mr. N. K. Green,  
The bill was laid on the table.

The committee of conference, on the part of the House, submitted the following report:

The committee of the House appointed to confer with the Senate committee relative to the difference between the two Houses, relative to Senate bill, entitled

A bill to amend an act to provide a military fund in aid of the uniformed volunteer militia, approved February 14, 1859,

Have met the committee of the Senate relative thereto, and have agreed to the amendment made by the House to said bill, by striking out the word "fortieth," in the second amendment of the House, and inserting the word "twentieth," instead thereof.

J. F. JOY, *Chairman*

Report accepted and committee discharged.

The House refused to concur in the action of the joint committee, by yeas and nays, as follows :

#### YEAS.

|              |               |               |
|--------------|---------------|---------------|
| Mr. Childs,  | Mr. Morrison, | Mr. Shank,    |
| A. W. Davis, | Moore,        | Stewart,      |
| O. Davis,    | Persons,      | Warner,       |
| Ira Davis,   | Peters,       | Waterbury,    |
| Gregory,     | Peterson,     | T. M. Wilson, |
| Hill,        | Phelps,       | J. B. Wilson, |
| Howell,      | Rankin,       | Woodward, 21  |

#### NAYS.

|                |              |              |
|----------------|--------------|--------------|
| Mr. Alexander, | Mr. Follett, | Mr. Pringle, |
| Atwood,        | Gilbert,     | Sessions,    |
| Baker,         | Goodrich,    | Smith,       |
| Blakeslee,     | A. L. Green, | Stoddard,    |
| Brownell,      | N. K. Green, | Strong,      |
| Bunce,         | Hadley,      | Fibbits,     |
| Chase,         | Haire,       | Toll,        |
| Choate,        | Hodges,      | Wetherby,    |
| Cooley,        | Hurd,        | Wheeler,     |
| Cox,           | Joy,         | Winans,      |
| Crego,         | Kanouse,     | Woodman,     |
| Douglas,       | Kelsey,      | Wright,      |
| Fallass,       |              |              |

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Mr. J. B. Wilson, by unanimous consent, offered the following:

*Whereas*, It appears that a joint resolution for the relief of Robert W. Cummings passed the Senate January 17, 1861, by a majority of all the Senators elect; therefore be it

*Resolved*, That the bill is hereby ordered to be enrolled and presented to the Governor for his approval.

Mr. A. W. Davis moved to lay the resolution on the table;  
Which motion did not prevail.

The question being upon the adoption of the resolution,

Mr. Alexander demanded the previous question;

The demand was seconded, and the main question ordered.

The resolution was not adopted.

Mr Warner moved to take from the table Senate bill No. 122, entitled

A bill to confirm sales of land made by the Commissioner of the Land Office, August 4, 1859;

Which motion did not prevail.

By unanimous consent, the Speaker *pro tem.* announced the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
*Lansing, March 13, 1861.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bill:

A bill to amend sections 1 and 2 of the act entitled an act to amend certain sections of an act to establish a house of correction for juvenile offenders, approved February 10, 1855, which act hereby amended was approved February 10, 1857;

Which the Senate has amended as follows:

In line 3, section 10, by striking out the words "vagrancy or other," and inserting the word "any."

In line 2, section 10, insert after the word "years," the words "and over the age of seven years;"

In the passage of which, as amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Childs moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

|                |             |               |
|----------------|-------------|---------------|
| Mr. Alexander, | Mr. Howell, | Mr. Rankin,   |
| Baker,         | Hurd,       | Read,         |
| Blakeslee,     | Joy,        | Sessions,     |
| Bunce,         | Kanouse,    | A. Stevens,   |
| Childs,        | Kelsey,     | Strong,       |
| Choate,        | Lockwood,   | Tibbits,      |
| A. W. Davis,   | Miller,     | Toll,         |
| C. Davis,      | Morrison,   | Warner,       |
| Ira Davis,     | Moore,      | Waterbury,    |
| Fallass,       | Persons,    | Wetherby,     |
| Goodrich,      | Peterson,   | Wheeler,      |
| N. K. Green,   | Phelps,     | T. M. Wilson, |
| Hill,          | Pratt,      | Woodward,     |
| Hodges,        | Pringle,    | Wright,       |
| Hood,          | Ramsdell,   | Speaker, 45   |

NAYS.

|             |                  |               |
|-------------|------------------|---------------|
| Mr. Cooley, | Mr. A. L. Green, | Mr. Shanahan, |
| Crego,      | Hadley,          | Stewart,      |
| Foote,      | Haire,           | Winans,       |
| Gilbert,    | Shank,           | Woodman, 12   |

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Also the following:

SENATE CHAMBER, }  
Lansing, March 14, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bill:

A bill to restore certain sections of land in the township of Ira, to the township of Cottrellville, in the county of St. Clair,

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

Mr. A. Stevens, by unanimous consent, moved to take from the table Senate bill, entitled

A bill to provide for laying out, establishing and improving a road from Muskegon river to the north line of Mason county;  
Which motion prevailed.

Mr. Pratt moved that the bill be placed on its final passage;  
On motion of Mr. Gregory,

The further consideration of the bill was indefinitely postponed.

Mr. Brownell, by unanimous consent, offered the following:

*Resolved*, That the thanks of this House are due, and the same are hereby tendered to the Hon. Dexter Mussey, for the able and impartial manner in which he has discharged his duties as Speaker, and the uniform fairness and courtesy which has characterized his action with the members of this body;

Which was adopted.

The Speaker addressed the House as follows :

*Gentlemen of the House of Representatives:*

I should do violence to my own feelings, and injustice to you, if I failed to say that the expression of your approval, as set forth in the resolution just adopted, is to me peculiarly gratifying.

When, at the opening of the present session, you elected me as your presiding officer, I entered upon the duties assigned me, embarrassed by feelings of distrust in my own ability to meet the responsibilities of the position with satisfaction to you, or with credit to myself.

I have, however, endeavored to discharge my duty impartially, and in such manner as I deemed would best facilitate the business of the House. It is for you to judge how far I have succeeded in accomplishing my purpose. The relation existing between us has been peculiarly pleasant and happy to me. I have enjoyed your co-operation, and your manner to me throughout the entire session has been such as to lead me to believe that I possessed your confidence also. But whatever measure of success I may have had, I accord most cheerfully to the hearty support with which you sustained me.

Our relation is now about to be dissolved. The result of your labors is before you. I hope and trust you will have no occasion to regret the votes you have cast; and that as you return to your homes, you will receive an approving welcome from your several constituencies, for the manner in which you have represented and advocated their interests.

I may be permitted to add, that the scenes of to-day are well calculated to remind us of the transitory character of all things of an earthly nature. We met strangers; our acquaintance, though short, has been cordial, and our friendship has become strong. To day, we separate, and as I look around and see in each countenance that of a friend, I cannot forget that I probably behold some of those faces for the last time; and that it is almost certain that we shall not all meet again on this side of the grave. It is my earnest desire, when our labors on this sphere are finished, and our Heavenly Father shall call us to our eternal home, that we may one and all receive a welcome as good and faithful servants, and be permitted to enter that Kingdom where the laws are immutable and their execution certain, there to dwell where separation is unknown, and friendship unbroken.

In conclusion, gentlemen, lest I may not have another opportunity, I now and here extend to each and all of you the hand of fellowship, and bid you farewell.

Mr. Gregory offered the following :

*Resolved*, That the thanks of this House are due, and the

same are hereby tendered to Edward W. Barber, Clerk, and Nelson B. Jones, Assistant; to Wm. A. Hall, Engrossing and Enrolling Clerk, and A. Hosford Smith, his Assistant; and to all the officers connected therewith, for their uniform courtesy and kindness extended to the members during this session;

Which was adopted.

Mr. Rankin offered the following:

*Resolved*, That the acknowledgments of this House are due and hereby tendered to the contractors for the State Printing, for the promptitude and general good style with which they have executed the unusual quantity of printing demanded at the present session, in consequence of the very large amount of legislative business transacted;

Which was adopted.

Mr. Warner offered the following :

*Whereas*, We have laid before us this year a Manual of more than usual literary merit and mechanical execution ; therefore

*Resolved*, That the thanks of this House are due and are hereby tendered to the joint committee under whose supervision the Manual has been prepared ; and to Mr. Don C. Henderson, clerk of that committee, who has faithfully superintended the details of the work ; also, to the State Printers, for the handsome manner in which the work has been performed ;

Which was adopted.

Mr. A. Stevens offered the following :

*Resolved*, That the thanks of this House are hereby tendered to Mr. Tucker, fireman, and Levi Hollister, his assistant, for the thorough and efficient manner in which they have discharged their duties ;

Which was adopted.

Mr. Phelps offered the following:

*Resolved*, That the chairman of the committee on supplies be authorized to allow such bills for stationery as have been incurred by the reporters for the daily press of this House, but such amount so allowed shall not exceed eight dollars each;

Which was adopted.

Mr. Warner offered the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 14, 1861. }

HON. DEXTER MUSSEY, *Speaker of the House*:

SIR:—The undersigned, members of the House from the Upper Peninsula, tender to yourself individually, and through you to the Members of this House, our unfeigned thanks for the uniform courtesy, kindness and extreme liberality shown us in all matters of legislation in which our particular portions of the State were concerned.

Very respectfully, your ob't serv'ts,  
EBENEZER WARNER,  
C. C. DOUGLAS,  
ALEXANDER TOLL,  
CHARLES R. WRIGHT.

By unanimous consent, the committee on ways and means submitted the following report:

The committee on ways and means, to whom was re-committed Senate bill, entitled

A bill making appropriations for removing the east wall, and building work shops at the State Prison,

Have considered the same, and do not deem it best, under present circumstances, to change the recommendations already made to the House upon the subject. Your committee ask to be discharged from the further consideration of the subject.

JAMES F. JOY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Pringle,

The bill was placed on its final passage.

The bill was then read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Baker,  
Chase,  
Childs,

Mr. Hadley,  
Haire,  
Howell,

Mr. Shank,  
Taylor,  
Wade,

Orego,  
Cutcheon,  
Ira Davis,

Pratt,  
Pringle,  
Ramsdell,

J. B. Wilson,  
Wright,

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## NAYS.

Mr. Alexander,  
Atwood,  
Blakeslee,  
Brownell,  
Choate,  
Cooley,  
A. W. Davis,  
O. Davis,  
Follett,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,

Mr. A. L. Green,  
N. K. Green,  
Hemingway,  
Hodges,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Lockwood,  
Moore,  
Persons,  
Peters,

Mr. Piper,  
Sessions,  
Shanahan,  
W. N. Stevens,  
Stoddard,  
Strong,  
Tibbits,  
Toll,  
Wheeler,  
T. M. Wilson,  
Winans,  
Woodman,  
Woodward, 29

By unanimous consent, the Speaker *pro tem.* announced the following:

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
Lansing, March 14, 1861. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed to return to the House the following entitled bill :

A bill to regulate fisheries in the waters of the State of Michigan,

Which the Senate has amended as follows : Add to section 3 the following : "*Provided*, That this act shall not apply to the waters of Lake Superior ;"

In the passage of which, as amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

Mr. Morrison moved that the House concur in the amendment made to the bill by the Senate;



Which motion prevailed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|              |                  |                |
|--------------|------------------|----------------|
| Mr. Atwood,  | Mr. N. K. Green, | Mr. Shanahan,  |
| Baker,       | Hadley,          | W. N. Stevens, |
| Blakeslee,   | Hill,            | A. Stevens,    |
| Brownell,    | Howell,          | Stoddard,      |
| Chase,       | Hurd,            | Strong,        |
| Childs,      | Jones,           | Tylor,         |
| Cooley,      | Joy,             | Tibbits,       |
| Cox,         | Kelsey           | Wade,          |
| Cutcheon,    | Persons,         | Warner,        |
| C. Davis,    | Piper,           | Wetherby,      |
| Ira Davis,   | Pratt,           | Wheeler,       |
| Douglas,     | Pringle,         | T. M. Wilson,  |
| Foote,       | Ramsdell,        | J. B. Wilson,  |
| Fowle,       | Sessions,        | Winans,        |
| Goodrich,    | Shank,           | Woodman,       |
| A. L. Green, |                  |                |

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## NAYS.

|             |             |             |
|-------------|-------------|-------------|
| Mr. Choate, | Mr. Hodges, | Mr. Peters, |
| Follett,    | Hood,       | Toll,       |
| Gilbert,    | Kanouse,    | Woodward,   |
| Haire,      | Moore,      | Wright,     |

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The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker resumed the chair.

By unanimous consent, the Speaker announced the following :

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
Lansing, March 14, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bill :

House bill, entitled

A bill to amend an act entitled an act to provide for laying out a State road in Ionia, Kent and Barry counties, approved February 12, 1859;

Which the Senate has amended, in the 5th line of section 1, by striking out "Isaac Messer," and inserting in lieu thereof "Alvin W. Bailey;"

In the passage of which, as amended, the Senate has concurred, by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Gilbert moved that the House concur in the amendment made to the bill by the Senate ;

Which motion prevailed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

|              |                  |                |
|--------------|------------------|----------------|
| Alexander,   | Mr. N. K. Green, | Mr. Shanahan,  |
| Mr. Atwood,  | Hadley,          | W. N. Stevens, |
| Blakeslee,   | Hodges,          | A. Stevens,    |
| Childs,      | Hood,            | Stoddard,      |
| Cooley,      | Howell,          | Strong,        |
| Cutcheon,    | Hurd,            | Taylor,        |
| A. W. Davis, | Kanouse,         | Tibbits,       |
| C. Davis,    | Leetch,          | Toll,          |
| Ira Davis,   | Lockwood,        | Warner,        |
| Douglas,     | Moore,           | Wetherby,      |
| Fallaas,     | Persons,         | Wheeler,       |
| Foots,       | Phelps,          | T. M. Wilson   |
| Fowle,       | Piper,           | J. B. Wilson,  |
| Gilbert,     | Pratt,           | Woodman,       |
| Goodrich,    | Pringle,         | Woodward,      |
| Gregory,     | Ramodell,        | Wright,        |
| A. L. Green, | Sessions,        | 50             |

#### NAYS.

|               |             |           |
|---------------|-------------|-----------|
| Mr. Brownell, | Mr. Follet, | Mr. Read, |
| Crego,        | Jones,      | Winans,   |
|               |             | 6         |

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, March 14, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to transmit the following entitled bill:

A bill to lay out a State road from the south-west corner of Gratiot county to the centre of Isabella county,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, when

Mr. Follett moved to lay the bill on the table.

Mr. Pratt demanded the yeas and nays;

The demand was seconded, and the motion to lay on the table prevailed, by yeas and nays, as follows:

#### YEAS.

|                |               |                |
|----------------|---------------|----------------|
| Mr. Alexander, | Mr. Goodrich, | Mr. Pringle,   |
| Atwood,        | Gregory,      | Read,          |
| Baker,         | A. L. Green,  | Sessions,      |
| Blakeslee,     | N. K. Green,  | Shanahan,      |
| Brownell,      | Haire,        | W. N. Stevens, |
| Chase,         | Hodges,       | Taylor,        |
| Childs,        | Hood,         | Tibbits,       |
| Cooley,        | Jones,        | Wade,          |
| Cox,           | Kanouse,      | Wetherby,      |
| Cutcheon,      | Kelsey,       | Wheeler,       |
| C. Davis,      | Lockwood,     | T. M. Wilson,  |
| Follett,       | Miller,       | Winans,        |
| Foote,         | Moore,        | Woodman,       |
| Fowle,         | Piper,        | Woodward,      |
| Gilbert,       |               |                |

43.

#### NAYS.

|              |              |               |
|--------------|--------------|---------------|
| Mr. Choate,  | Mr. Persons, | Mr. Stoddard, |
| A. W. Davis, | Pratt,       | Toll,         |
| Douglas,     | Ramsdell,    | Warner,       |
| Hadley,      | Rankin,      | Wright,       |
| Howell,      | A. Stevens,  |               |

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By unanimous consent, the Speaker announced the following:

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER, }  
Lansing, March 14, 1861. }

To the Speaker of the House of Representatives:

SIR:—I am instructed to return to the House the following entitled bill:

A bill to organize the township of Hancock, in Houghton county,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

Mr. Outcheon moved to take from the table, Senate bill No. 81, entitled

A bill to amend sec. 8, of chapter 65, of the revised statutes of 1846, regulating the execution of deeds and other instruments affecting real estate;

Which motion did not prevail.

Mr. Alexander offered the following :

*Resolved*, That the thanks of the House are due to the ladies of the city of Lansing and vicinity, who have favored and graced the House with their calls during the present session;

Which was adopted.

Mr. A. Stevens offered the following :

*Resolved by the House of Representatives of the State of Michigan*, That the Syracuse Salt Company is recommended to appropriate and pay to the Hon. Mr. Barns, of the Detroit Tribune, the sum of ten thousand dollars, if they have not already done so, for the untiring energy he has displayed in circulating petitions to his subscribers, and in manufacturing public opinion to effect the repeal of the salt bounty, and to bring the faith of the State into disrepute, and effectually to cripple, if not entirely to destroy the development of the salt interest in this State, and to foster and encourage the salt interest of the State of New York.

*Resolved further*, That the clerk of this House be directed to

Forward a copy of the above resolution to the Secretary of the Syracuse Salt Company.

Mr. Pratt moved to lay the resolution on the table ;

Which motion did not prevail.

Mr. Alexander moved that the resolution be indefinitely postponed ;

Which motion did not prevail.

On motion of Mr. Morrison,

The further consideration of the resolution was postponed until the first of January next.

Mr. Pringle moved to reconsider the vote whereby the House refused to concur in the action of the committee on conference, on Senate bill, entitled :

A bill to amend an act entitled an act to provide a military fund in aid of the uniformed volunteer militia, approved February 14, 1859.

On motion of Mr. Toll,

The motion to reconsider was laid on the table.

Mr. Cooley moved to take from the table House bill, entitled

A bill to repeal act No. 200 of the session laws of 1859, being an act to encourage the manufacture of salt in the State of Michigan, approved February 15, 1859 ;

Which motion did not prevail.

Mr. A. Stevens asked and obtained the unanimous consent of the House to introduce the following [counterfeit] bill :

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|                                                                    |   |                                                                                                         |   |                                                |
|--------------------------------------------------------------------|---|---------------------------------------------------------------------------------------------------------|---|------------------------------------------------|
| TWO                                                                | 2 | <i>Vignette, Female, with Sickle,<br/>Sheaf, &amp;c.</i>                                                | 2 | <i>Female<br/>with<br/>horn of<br/>Plenty.</i> |
| STATE OF                                                           |   | The                                                                                                     | B |                                                |
| Secured by<br>mortgage of pub-<br>lic Stocks, and<br>Real Estate.] |   | <i>Commercial Bank</i>                                                                                  |   |                                                |
|                                                                    |   | OF ROCHESTER,                                                                                           |   |                                                |
| New York.                                                          |   | <i>Will pay two dollars on demand to Henry Clay<br/>         or bearer. ROCHESTER, January 1, 1858.</i> |   |                                                |
| TWO                                                                |   | H. F. Atkinson, Cash.    Geo. W. Claclet, Pres.                                                         |   |                                                |

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Which he hoped the House might pass, as he had not been able to do so.

Mr. Hurd moved to take from the table Senate joint resolution, entitled

Joint resolution for the relief of Preston Mitchel and John L. Mitchell;

Which motion did not prevail.

Mr. Toll offered the following:

*Resolved*, That the thanks of this House are due and hereby tendered to Alonzo Hyde, Sergeant-at-Arms, and to E. B. Brigham, his assistant, for their efficiency and uniform courtesy to the members during this session;

Which was adopted.

Mr. Rankin offered the following:

*Resolved*, That the thanks of this House are due and hereby tendered to Prof. Tenney, for his uniform and gentlemanly efforts to promote the convenience of members of this House, during the present session, in his official capacity as State Librarian;

Which was adopted.

Mr. Morrison offered the following:

*Resolved*, That the thanks of this House are due and are hereby tendered to Hon. W. T. Howell, Speaker *pro tem.*, for the very impartial manner in which he has discharged the duties of the chair this day;

Which was adopted.

Mr. Howell, in a brief manner, returned his thanks to the House, for the compliment paid to him.

Mr. Lockwood offered the following:

*Resolved*, That the thanks of this House be tendered to the several clergymen of this city, who have officiated as chaplains of this House, for the appropriate manner in which they have discharged their duties;

Which was adopted.

By unanimous consent, the Speaker announced the following:

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
Lansing, March 14, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bill:

A bill regulating proceedings in certain cases of nuisance,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

On motion of Mr. Gilbert,

The House took a recess of fifteen minutes.

The House re-assembled at five minutes of 12 o'clock.

Mr. Pratt presented the following protest, which was received, and ordered printed in the journal:

## PROTEST.

The undersigned, being, in the minds of some persons, placed in a false position by their vote against the postponement of the bill to repeal the so-called personal liberty law of 1855, respectfully protest against what we deem to be hasty action of the House, inasmuch as we are opposed to the repeal of such law of 1855, except as to the provisions in said law relating to appeal, contained in sections 3 and 4 of said bill.

G. E. PRATT,

J. C. WATERBURY,

H. K. FOOTE,

CHAUNCEY GOODRICH.

Prayer by Rev. Mr. Meyer.

On motion of Mr. Sessions,

The House adjourned till to-morrow morning at 9 o'clock.

*Lansing, Friday, March 15, 1861.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called, and the following members answered to their names: Messrs. Baker, A. L. Green, Hemingway, Pratt, Ramsdell, Rankin, Shank, Warner, T. M. Wilson and Winans.

On motion of Mr. A. L. Green,

The House adjourned until to-morrow morning at 9 o'clock.

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*Lansing, Saturday, March 16, 1861.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called, and the following members answered to their names: Messrs. A. L. Green, Hemingway, Ramsdell, Shank and Warner.

The committee on engrossment and enrollment submitted the following report:

The committee on engrossment and enrollment report as correctly enrolled, signed and presented to the Governor, the following entitled bills:

A bill to provide for the drainage and reclamation of swamp lands by means of State roads and ditches;

Also,

A bill to attach the county of Maniton to the county of Mackinac, for certain judicial purposes;

Also,

A bill to amend section 2, chapter 119 of the revised statutes of 1846, being section 396 of the compiled laws;

Also,

A bill to restore certain sections of land in the township of Ira, to the township of Cottrelville, in the county of St. Clair;

Also,

A bill to regulate fisheries in waters in the State of Michigan;

Also,



A bill to confer certain powers on the board of supervisors of the counties of Marquette and Delta;

Also,

A bill to appropriate 2,500 acres of swamp lands to open and improve the State road from Mecosta county to the county seat of Oceana county;

Also,

A bill to incorporate the village of Muskegon;

Also,

A bill to amend act No. 255 of the laws of 1859, being an act to provide for laying out and establishing a State road from Midland City to St. Charles, approved February 15, 1859;

Also,

A bill to provide for the drainage of swamps, marshes and other low lands;

Also,

A bill to provide a military force;

Also,

A bill to organize the county of Bleecker;

Also,

Joint resolution authorizing the common council of the city of Lansing to use a portion of certain streets, &c., &c.;

Also,

Joint resolution for the relief of Robert W. Cummings;

Also,

A bill to amend section 23, of chapter 106, of the revised statutes of 1846, being section 4461, of the compiled laws, in relation to sales of goods on execution pledged by way of mortgage;

Also,

A bill to amend chapter 10 of the compiled laws, in relation to certain duties and compensations of county surveyors;

Also,

A bill to amend an act entitled an act further to preserve the purity of elections and guard against the abuses of the elective franchise by a registration of electors;

Also,

A bill to authorize boards of health to dispose of real estate;

Also,

A bill to legalize a certain highway in township number four (4) south, range number seven (7) west;

Also,

A bill authorizing the Auditor General to return to Robert P. Sinclair the money received for the redemption of certain lands sold for taxes;

Also,

A bill to establish and regulate a mining school in the Upper Peninsula;

Also,

A bill to authorize the trustees of the Grass Lake Baptist Society of the township of Grass Lake, in the county of Jackson, to convey certain real estate to school district No. 2, of said township;

Also,

A bill to provide for laying out and establishing highways on lines dividing this from other States;

Also,

A bill relative to the issuing of capiases for witnesses in criminal proceedings;

Also,

A bill to provide for the expenses of the trial of persons holding, or who have held State offices, for malfeasance in office;

Also,

A bill to amend sections 14 and 16, and to repeal section 15, of chapter 134, of the compiled laws, relating to the action of ejectment;

Also,

A bill giving to circuit courts jurisdiction by information in the nature of a quo warranto in certain cases;

Also,

A bill vesting with police powers, marshals and their deputies, at State and county fairs;

Also,

A bill to amend section 63, of chapter 60 of the revised statutes of 1846, being section 2505 of the compiled laws, relative to trespasses on the public lands;

Also,

A bill to prevent fishing with seines, nets and spears, in the lakes known as Devil's lake, and Round lake, in Lenawee county;

Also,

A bill amending sections 3, 13 and 25 of chapter 150, compiled laws, relating to conferring upon justices of the peace jurisdiction in case of forcible entry and detainer, and forcible detainer only;

Also,

A bill to incorporate the village of Lowell, in the county of Kent;

Also,

A bill to amend an act entitled an act to provide for laying out a State road in Ionia, Kent and Barry counties, approved February 12th, 1859;

Also,

A bill to amend act 144, of the session laws of 1859, being an act to amend act No. 21, of session laws of 1858, it being an act to amend act No. 63, of session laws of 1857, entitled an act to lay out and establish a State road in the counties of Sanilac and Tuscola;

Also,

A bill appropriating certain highway taxes for the improvement of a road in the counties of Eaton and Ionia;

Also,

A bill to amend section 1 of an act entitled an act appropriating certain highway taxes for the improvement of a road in the counties of Saginaw, Tuscola and Genesee;

Also,

A bill to amend sections 4742, 4747, and 4748, of the com-

piled laws, relating to proceedings against debtors by attachment;

Also,

A bill making appropriations for the support of the State normal school;

Also,

A bill to facilitate the commencement of suits against joint defendants residing in several counties;

Also,

A bill to amend an act entitled an act to prevent fishing with seines and every kind of nets, in certain counties in the State of Michigan;

Also,

A bill regulating proceedings in certain cases of nuisance;

Also,

A bill to amend and add to chapter 132 of the compiled laws, entitled of homestead exemptions;

Also,

A bill to amend sections 1 and 2, of the act entitled an act to amend certain sections of an act to establish a house of correction for juvenile offenders, approved February 10, 1855, which act hereby amended was approved February 10, 1857;

Also,

A bill to provide for an additional circuit court commissioner in certain counties ;

Also,

A bill to amend an act entitled an act to establish graded and high schools, approved February 14, 1859, being act No. 161, of session laws of 1859 ;

Also,

A bill to provide for publishing the statistics of the State of Michigan, taken by authority of the United States, in the year 1860;

Also,

A bill to prevent officers and clerks employed in the State

land office and the auditor general's office from purchasing lands at such offices;

Also,

A bill to provide for the erection and maintenance of shutes for the passage of fish through the dams across the streams of this State ;

Also, .

A bill to attach certain unorganized townships to the county of Marquette ;

Also,

A bill to amend an act entitled an act to incorporate the city of Jackson, approved February 14, 1857 ;

Also,

A bill to incorporate the village of Decatur ;

Also,

A bill to amend sections 3, 4, 6 and 12, of an act entitled an act authorizing commissioners of highways of townships to establish water-courses and to locate ditches, in certain cases ;

Also,

A bill to amend an act entitled an act to establish teachers' institutes, approved February 10, 1855 ;

Also,

A bill to provide for the purchase of a collection of the township laws of the several townships of this State ;

Also,

A bill to authorize proceedings by garnishment in the circuit courts and district court of the Upper Peninsula ;

Also,

A bill to organize the township of Hancock, in Houghton county ;

Also,

A bill to provide for the floating of logs and timber in the streams of this State ;

Also,

A bill to provide for the preservation of the Muskegon river improvement, and to authorize tolls for the same;

All of which is respectfully submitted.

A. L. GREEN, *Chairman*.

Report accepted.

The following message was received from the Governor:

EXECUTIVE OFFICE,  
Lansing, March 16, 1861. }

*To the House of Representatives:*

I have approved and deposited in the office of the Secretary of State the following:

An act to establish and regulate a mining school in the Upper Peninsula;

Also,

An act to authorize the trustees of the Grass Lake Baptist Society of the township of Grass Lake, in the county of Jackson, to convey certain real estate to school district No. 9, of said township;

Also,

An act in relation to issuing of capiases for witnesses in criminal proceedings;

Also,

An act to provide for laying out and establishing highways on lines dividing this from other States;

Also,

An act to incorporate the village of Howell;

Also,

An act to authorize the formation of gymnastic associations;

Also,

An act to organize the county of Bleecker;

Also,

An act to amend section 23, of chapter 106, of the revised statutes of 1846, being section 4461 of the compiled laws, relative to sale of goods on execution pledged by way of mortgage;

Also,

An act to authorize boards of health to dispose of real estate ;

Also,

An act to provide for the draining of swamps, marshes and other low lands ;

Also,

An act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches ;

Also,

An act to prevent fishing with seines, nets and spears in the lakes known as Devil's Lake and Round Lake, in Lonsawee county ;

Also,

An act amending sections 8, 13 and 25, of chapter 180, of compiled laws, relating to conferring upon justices of the peace jurisdiction in case of forcible entry and detainer, and forcible detainer only ;

Also,

An act to amend section 63, of chapter 60, of the revised statutes of 1846, being section 2505, of the compiled laws, relative to trespasses on the public lands ;

Also,

An act vesting with police powers marshals and their deputies at State and county fairs ;

Also,

An act giving to circuit courts jurisdiction by information, in the nature of a quo warranto, in certain cases ;

Also,

An act to amend sections 14 and 16, and to repeal section 15, of chapter 184, of the compiled laws, relating to the action of ejectment :

Also,

An act to provide for the expenses of the trial of persons holding, or who have held State offices, for malfeasance in office ;

Also,

An act to legalize a certain highway in township number four (4) south, range number seven (7) west;

Also,

An act authorizing the Auditor General to pay to Robert P. Sinclair the money received for the redemption of land sold for taxes;

Also,

An act to provide for publishing the statistics of the State of Michigan, taken by authority of the United States, in the year one thousand eight hundred and sixty;

Also,

An act to amend sections 4742, 4747 4748 and 4771 of the compiled laws, relating to proceedings against debtors by attachment;

Also,

An act to amend section 1 of an act entitled an act appropriating certain highway taxes for the improvement of a road in the counties of Saginaw, Tuscola, Genesee and Lapeer;

Also,

An act appropriating certain taxes for the improvement of a road in the counties of Eaton and Ionia;

Also,

An act to provide for an additional circuit court commissioner in certain cases;

Also,

An act to facilitate the commencement of suits against joint defendants residing in several counties;

Also,

An act making appropriations for the support of the State normal school;

Also,

An act to amend an act entitled an act to provide for laying out a State road in Ionia, Kent and Barry counties, approved February 12th, 1859;

Also,



An act to provide for the purchase of a collection of the township laws for the several townships of this State ;

Also,

An act to amend an act entitled an act to prevent fishing with seines and every kind of nets in certain counties in the State of Michigan, approved February 15, 1859;

Also,

An act to regulate proceedings in certain cases of nuisance;

Also,

An act to amend an act entitled an act to establish teachers' institutes, approved February 10, 1855;

Also,

An act to amend an act entitled an act to incorporate the city of Jackson, approved February 14, 1857;

Also,

An act to amend sections 3, 4, 6 and 12, of an act entitled an act authorizing the commissioners of highways of townships to establish water-courses and locate ditches in certain cases, approved February 15th, 1859;

Also,

Joint resolution authorizing the common council of the city of Lansing to use a portion of a certain street therein for purposes of the fire department of said city;

Also,

An act to incorporate the village of Muskegon ;

Also,

An act to amend an act entitled an act to revise the charter of the city of Port Huron, approved February 15, 1859;

Also,

An act to incorporate the village of Decatur;

Also,

An act to organize the township of Hancock, in Houghton county ;

Also,

An act to provide for the erection and maintenance of shutes

for the passage of fish through the dams across the streams of this State;

Also,

An act to amend act No. 255, of the laws of 1859, approved February 15, 1859, entitled an act to provide for laying out and establishing a State road from Midland City, in the county of Midland, to St. Charles, in the county of Saginaw ;

Also,

An act to amend and add to chapter 132 of the compiled laws, entitled, of homestead exemptions ;

Also,

An act to amend act No. 244 of the session laws of 1859, being an act to amend act No. 21 of session laws of 1858, it being an act to amend act No. 63 of session laws of 1857, entitled an act to establish and lay out a State road in the counties of Sanilac and Tuscola ;

Also,

An act to amend sections 1 and 2 of an act entitled an act to amend certain sections of an act to establish a House of Correction for juvenile offenders, approved February 10, 1855, which act hereby amended was approved February 10, 1857 ;

Also,

An act to provide for the preservation of the Muskegon River improvement, and to authorize tolls for the same ;

Also,

An act to provide a military force ;

Also,

An act to restore certain sections of land to the township of Cottrelville, in the county of St. Clair ;

Also,

An act to amend section 2, of chapter 119, of the revised statutes of 1846, being section 3967 of the compiled laws ;

Also,

An act to appropriate 2,500 acres of Swamp lands to open and improve the State road from Menosta county, to the county seat of Oceana county ;

Also,

Joint resolution for the relief of Robert W. Cummings;

Also,

A bill to amend an act entitled an act further to preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors;

Also,

An act to confer certain powers upon the board of supervisors of the counties of Marquette and Delta;

Also,

A bill to prevent officers and clerks employed in the State Land Office, and in the Auditor General's Office, from purchasing lands while in the employ of the State;

Also,

An act to amend an act entitled an act to establish graded and high schools, approved February 14, 1859, being act No. 161, session laws of 1859 ;

Also,

An act to attach certain unorganized townships to the county of Marquette ;

Also,

An act to amend chapter 10 of the compiled laws, in relation to certain duties and compensations of county surveyors;

Also,

An act to attach the county of Manitou to the county of Mackinac, for certain judicial purposes;

Also,

An act to provide for the floating of logs and timber in the streams of this State;

Also,

An act to authorize proceedings by garnishment in the circuit courts and district court of the Upper Peninsula.

AUSTIN BLAIR.

There being no further business to be transacted, and the hour of 12 o'clock, noon, having arrived, the House was declared adjourned *sine die*.

for the passage of fish through the dams across the streams of this State;

Also,

An act to amend act No. 255, of the laws of 1859, approved February 15, 1859, entitled an act to provide for laying out and establishing a State road from Midland City, in the county of Midland, to St. Charles, in the county of Saginaw;

Also,

An act to amend and add to chapter 132 of the compiled laws, entitled, of homestead exemptions;

Also,

An act to amend act No. 244 of the session laws of 1859, being an act to amend act No. 21 of session laws of 1858, it being an act to amend act No. 68 of session laws of 1857, entitled an act to establish and lay out a State road in the counties of Sandiac and Tuscola;

Also,

An act to amend sections 1 and 2 of an act entitled an act to amend certain sections of an act to establish a House of Correction for juvenile offenders, approved February 10, 1855, which act hereby amended was approved February 10, 1857;

Also,

An act to provide for the preservation of the Muskegon River improvement, and to authorize tolls for the same;

Also,

An act to provide a military force;

Also,

An act to restore certain sections of land to the township of Cottleville, in the county of St. Clair;

Also,

An act to amend section 2, of chapter 119, of the revised statutes of 1846, being section 3967 of the compiled laws;

Also,

An act to appropriate 2,500 acres of Swamp lands to open and improve the State road from Mecosta county, to the county seat of Oceana county;

Also,

Joint resolution for the relief of Robert W. Cummings;

Also,

A bill to amend an act entitled an act further to preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors;

Also,

An act to confer certain powers upon the board of supervisors of the counties of Marquette and Delta;

Also,

A bill to prevent officers and clerks employed in the State Land Office, and in the Auditor General's Office, from purchasing lands while in the employ of the State;

Also,

An act to amend an act entitled an act to establish graded and high schools, approved February 14, 1859, being act No. 161, session laws of 1859;

Also,

An act to attach certain unorganized townships to the county of Marquette;

Also,

An act to amend chapter 10 of the compiled laws, in relation to certain duties and compensations of county surveyors;

Also,

An act to attach the county of Manitou to the county of Mackinac, for certain judicial purposes;

Also,

An act to provide for the floating of logs and timber in the streams of this State;

Also,

An act to authorize proceedings by garnishment in the circuit courts and district court of the Upper Peninsula.

AUSTIN BLAIR.

There being no further business to be transacted, and the hour of 12 o'clock, noon, having arrived, the House was declared adjourned *sine die*.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
*Lansing, March 16, 1861.* }

I hereby certify the foregoing to be a true and correct journal of the proceedings of the House of Representatives of the Legislature of Michigan for the year 1861.

ED. W. BARBER,  
*Clerk of the House of Representatives.*

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- To amend section 4 of an act entitled an act supplementary to an act to define the limits, jurisdiction and powers of Circuit Courts, approved April 8, 1851, and to repeal an act supplementary to said act, approved June 27, 1851, which act hereby amended, was approved February 16, 1853, being section 3438 of compiled laws, providing for bills of exception in certain cases, 63, 82, 133, 161, 235.
- To provide for the further application upon a part of the Port Huron, Bay City and Lansing State road of a portion of the original appropriation for the same, as per act 117, session laws of 1859, 63.
- Amending section 18, of chapter 118, of the compiled laws of 1857, 63.
- To provide for the collection and return of taxes by township treasurers in newly organized counties, in certain cases, 66, 81, 133, 154, 160, 208, 225, 265.
- To increase the amount named in the bond of the State Treasurer, 67.
- To amend act No. 209 of the session laws of 1859, 67.
- To amend sections 1 and 4 of an act entitled an act to amend chapter 150, of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salaries of judges of probate, 69, 121, 277, 431, 482, 880, 1119, 1155, 1156, 1184.
- To exempt the property of certain persons from taxation for State and county purposes, 74.
- To provide for contesting the election of county and township officers, 74, 116, 1356.
- To amend the law of garnishment, and to extend the provision of the same to the circuit courts, 74.
- To amend chapter 10 of the compiled laws, in relation to the duties of county surveyors in recording surveys, and their compensations for the same, 75, 236, 856, 1380, 1416, 1440, 1532, 1571, 1581.
- To provide for the taking of proof in cases of the contested elections of members of the legislature, 76.
- To provide for the payment of the amount due from the State to the several counties for taxes on the St. Mary's Falls ship canal lands, 87, 114, 345.
- To lay out and establish the Muskegon and Saginaw State road, and to provide for the construction of the same by means of swamp lands, 87, 168.
- To provide for the marking and branding of horses, cattle, sheep and swine, 87, 159, 262, 605, 648, 940, 1003.
- Relative to the issue of capiases for witnesses in criminal proceedings, 87, 169, 857, 1388, 1514, 1576.

- In relation to the collection of recognizances in criminal cases, 88, 169, 274, 435, 880, 914, 916, 1039, 1068, 1234.
- To amend section 5, of chapter 165, of the revised statutes of 1846, relative to challenging jurors, in criminal cases, 88, 157, 195, 222, 368, 379, 732, 1083.
- To repeal sections 1687, 1688 and 1689, of chapter 54, of compiled laws, 88.
- To lay out and establish a State road from the town of Duplain, in Clinton county, through the towns of Brady, Chessening and Maple Grove, in Saginaw county, to the Flint and Saginaw plank road, in the town of Montrose, in Genesee county, and for an appropriation of swamp lands for the same, 89, 158.
- To provide for publishing the statistics of the State of Michigan, taken by authority of the United States, in the year, 1860, 89, 116, 138, 249, 251, 300, 481, 482, 483, 484, 509, 1501, 1574, 1578.
- To lay out and establish a State road from Manistee, in Manistee county, to Northport, in Lelanaw county, and to appropriate swamp lands for the construction of the same, 92, 503.
- To amend chapters 58 and 128 of the revised statutes of 1846, in regard to the disposition of fines, penalties, forfeitures and recognizances, 101, 169, 1458.
- To amend sections 8 and 16, of chapter 94, of the revised statutes of 1846, 101.
- To amend chapter 23 of compiled laws, relative to removal of obstructions from highways, 101, 180, 207, 353, 358, 433, 526, 565, 619, 707, 1201, 1260, 1360, 1507.
- Appropriating certain lands in Allegan county for the improvement of Kalamazoo river and harbor, 101.
- To amend section 9, and 34, of chapter 103, of the revised statutes of 1846, compiled laws vol. 2, sections 4351 and 4375, 102, 115, 125, 213, 233, 403, 404, 423, 452.
- To amend sections 1, 2 and 16, of chapter 118, of compiled laws, relative to the jurisdiction of justices in criminal proceedings, 102, 211, 260, 434.
- To amend sections 8, 9, 16 and 18, of chapter 94, of the revised statutes of 1846, the same being chapter 118, compiled laws, 102, 244, 368, 378, 379, 407, 866, 868, 938, 1001, 1166.
- To amend an act entitled an act to re-organize the township of Garden Island, and to change the name of said township, 102, 153, 254, 557, 849, 917, 918, 1052, 1082, 1167.
- To amend an act entitled an act to amend chapter 93 of the revised statutes of 1846, entitled of courts held by justices of the peace, approved February 13, 1855, 102.
- To amend an act entitled an act to establish teachers' institutes,

- approved February 10, 1855, 103, 111, 181, 182, 191, 295, 331, 1539, 1575, 1579.
- To amend an act entitled an act for the protection of game in the State of Michigan, approved February 14, 1859, 103, 115, 127, 213, 226, 231.
- To provide for compensation for improvements upon lands sold under judicial proceedings, in certain cases, 103, 115, 124, 663, 888.
- For the better security of mechanics and others erecting buildings in this State, 103, 286, 315, 767, 769, 772, 773.
- To amend sections 3, 4, 6 and 12, of an act entitled an act authorizing the commissioners of highways of townships to establish water-courses, and locate ditches, in certain cases, approved February 18, 1859, 103, 788, 927, 1389, 1534, 1575, 1579.
- To apportion anew the representatives among the several counties and districts of this State, 112, 505, 575, 650, 662.
- To provide a military force, 113, 134, 338, 373, 455, 460, 478, 487, 548, 669, 783, 1170, 1421, 1426, 1534, 1571, 1580.
- To provide for the removal of stagnant and impure waters in townships, 113, 286, 299.
- To amend an act entitled an act to authorize the incorporation of bridge companies, approved April 4, 1851, by adding two new sections thereto, 113, 131, 138, 239, 251, 309, 317, 451.
- To repeal (section 628 of compiled laws, being) an act entitled an act to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence, approved March 17, 1847 113, 158, 490, 1025, 1027.
- Asking a grant of swamp lands for opening a State road from Muskegon, along or near Muskegon river, via Newaygo, Big Prairie, Big Rapids and Middle Branch, to Clam River, in the county of Clare, 113.
- For a State road from Saginaw, along the Tittibawassee and Chippewa rivers, through the counties of Midland, Isabella and Mecosta, to Big Rapids, on Muskegon river, 113.
- Relative to interest on contracts between citizens of this State and other States and countries, or payable elsewhere than in this State, 114, 159, 222, 339, 367, 378, 1866, 1466, 1506.
- Relative to the duties of township and county officers, concerning receipts for moneys paid into the county treasury, 114, 131, 201, 344, 351, 473, 491, 620.
- To change the name of the Algerville and Grand Blanc plank road, to the Grand Blanc and Holly plank road, 114, 159, 166, 293, 326, 419, 420, 450, 620.
- To extend the time for the collection of taxes in the township of Holland, in the county of Ottawa, for the year 1860, 116, 124, 155, 169, 170, 208, 225, 265



- To amend section 107, of an act entitled an act to amend certain sections of the primary school law, approved February 15, 1859, relating to town and school district libraries, 116, 131, 1307.
- To lay out and establish a State road from St. Johns, in Clinton county, to St. Charles, in Saginaw county, 116.
- To appropriate the proceeds of what swamp lands have been sold in the county of Berrien by the State, for the building of certain roads and bridges in said county, and for the drainage of swamps therein, 116.
- To lay out and establish a State road on Beaver Island, in Manitou county, 117, 682.
- Appropriating all unsold and unappropriated State swamp land in the county of Eaton for draining the same, 130, 838.
- To apportion anew the Representatives among the several counties and districts of this State, 130, 169, 201, 595, 650, 662, 847, 1007, 1075, 1098, 1120, 1124, 1158, 1214, 1221, 1297, 1360, 1507.
- To change the name of T. D. Green to T. D. Slosson, 130, 195, 466.
- To provide for laying out and constructing a State road in the counties of Tuscola, Bay and Saginaw, 130, 564.
- For the relief of school district No. 3 of Portland, Ionia county, 130.
- To amend sections 3 to 11 inclusive, of chapter 100, of the revised statutes of 1846, sections 4188 to 4196 inclusive, of the compiled laws, relative to referees, 156, 168, 222, 354, 367, 633, 1157, 1175, 1263, 1506.
- To amend sections 4742, 4747 and 4748, of the compiled laws, relating to proceedings against debtors by attachment, 157, 195, 695, 1190, 1245, 1244, 1268, 1500, 1573, 1578.
- To lay out a State road from Little Traverse to Cross Village, thence to the Straits of Mackinac, and asking for a grant of swamp land to aid in the construction thereof, 157, 457.
- To prevent fishing with seines, and every kind of nets, in any of the inland lakes and streams in the county of Eaton, 157.
- To establish a State reform school for females, 157.
- To change the name of Albert R. Wedthoff, 157.
- To amend and add to chapter 132 of compiled laws, entitled of homestead exemptions, 157, 211, 631, 1228, 1229, 1275, 1501, 1574, 1580.
- To continue the authority of the circuit court commissioners after the expiration of their term of office in certain cases, 157, 180, 277, 434, 458, 561, 619, 751, 816.
- To extend the time for the collection of taxes in the township

- of Grand Blanc, in the county of Genesee, for the year 1860, 157.
- To exempt from taxation for State and county purposes the property of certain persons of color, 158, 165.
- To provide for changing the names of minor adopted children, and other persons, 165, 271, 279, 290, 360, 361, 394, 452.
- To repeal chapter 122 of the revised statutes of 1846, and the amendments thereto, and to provide for the collection of demands against water craft, 168, 194, 223, 354, 1189, 1190, 1225, 1248, 1255, 1316.
- To provide for laying out and establishing a State road in the county of Montcalm, and making an appropriation of swamp lands for building the same, 168, 699.
- To extend the time for the collection of taxes in certain townships of Genesee county, 169, 1458.
- To establish a State road from the head of Little Traverse Bay to Elk Rapids, and from thence to Traverse City, and ask for an appropriation of swamp lands for the same, 179, 503.
- To incorporate the village of Decatur, 179, 406, 1124, 1173, 1174, 1575, 1579.
- In relation to assignments, and to compel assignees to give security, 195, 631, 1156, 1157, 1175, 1176.
- To legalize the tax roll in the township of Ionia, in the county of Ionia, and to authorize the collection of the same, 196, 208, 225, 265.
- Requiring the Auditor General to report to county treasurers lists of delinquent lands sold by him or redeemed at his office, and the amount received therefor, 210, 227, 281, 374.
- To organize the town of Cedar, in the county of Muskegon, 210, 837, 935, 1386.
- To lay out and establish a State road from Nunica, in Ottawa county, to Muskegon, and ask a grant of swamp land therefor; also, a similar grant for the improvement of the road from Grand Rapids to Muskegon, 210, 785.
- To lay out and establish a State road from Sauble river to Cheboygan, in Cheboygan county, 210, 227.
- To attach certain territory to the township of Geneva, in Tuscola county, 210, 377, 470, 506, 642, 671, 751.
- To extend the time for the collection of taxes in the year 1860, 211, 228, 229, 360.
- To authorize James H. Sprague to build a dam across Grand River, on section 12, in town 1 north of range 3 west, in the county of Eaton, 211, 274.
- To amend section 24, of chapter 108, of the compiled laws, 226, 285, 300.
- To organize the town of Hancock, in the county of Houghton, 226, 682, 1047, 1069, 1396, 1397, 1566, 1575, 1579.

- To legalize the tax rolls of the townships of Copper Harbor, Eagle Harbor, Houghton, Portage and L'Anse, in the county of Houghton, for the years 1858, '59 and '60, 227, 364, 624, 991.
- To amend an act entitled an act to amend sections 13 and 15, of an act entitled an act relative to free schools in the city of Detroit, approved February 17, 1842, being No. 3 of the session laws of 1855, and approved January 20, 1855, 227, 243, 368, 1079.
- To authorize fractional school district No. 3, of the townships of Sylvan and Lima, county of Washtenaw, to issue bonds, 227, 244, 309, 310, 360, 394, 451.
- To amend section 6, of chapter 87, of the revised statutes of 1846, (section 3343 of compiled laws,) 228, 250, 299, 739, 764.
- To protect the owners of sheep against damages done by dogs, 228, 645, 728, 1190, 1231, 1244, 1245, 1277, 1280.
- To amend section 4, of chapter 34, of the revised statutes of 1846, being section 1315 of the compiled laws, relating to usury, 246, 249, 986, 989, 1021, 1374.
- To organize the township of Hamlin, in the county of Mason, 249, 350, 374, 768, 769, 797, 798, 937, 1001, 1167.
- To amend sections 8 and 10, of chapter 124, of compiled laws, relative to the return and summoning of jurors, 249, 269, 276.
- To provide for the floating of logs and timber, in the streams of this State, 249, 268, 357, 368, 369, 932, 1070, 1074, 1166, 1207, 1233, 1295, 1546, 1575, 1581.
- To change the name of the township of Little Sauble, in the county of Mason, 249, 268, 373, 768, 769, 799, 1051, 1081, 1168.
- To amend section 33, of chapter 109, of the revised statutes of 1846, being section 4648 of the compiled laws, relative to partition of lands owned by several persons, 249, 269, 299, 739, 764, 938, 1001, 1167.
- To amend section 5690 of the compiled laws of 1857, relative to fees of witnesses in criminal cases, 250, 286, 321, 767, 769.
- To amend an act entitled an act to provide for the settlement and drainage of swamp lands by actual settlers, being act No. 229, of session laws of 1859, 250, 468, 804, 816, 836, 1133, 1234, 1300.
- To establish and regulate thy mining school of the Upper Peninsula, 251, 279, 300, 739, 744, 762, 771, 844, 1532, 1572, 1576.
- To amend act No. 106, of the session laws of 1859, to provide for the sale of swamp lands, and the reclamation of the game, 251, 280, 434.

- To amend an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, 251, 388.
- To amend chapter 38 of the revised statutes of 1846, relative to the appointment of superintendents of county poor, 268, 788, 995.
- To provide the Auditor General's office with recorded plats of cities, villages and towns, 268, 356, 850, 911, 1388.
- To amend the charter of the city of Port Huron, 269, 326, 958, 1059, 1366, 1579.
- To legalize certain loans made by the board of education of the city of Port Huron, 269, 326, 958.
- To amend sections 14 and 16, and to repeal section 15, of chapter 134, of compiled laws, in relation to the action of ejectment, 269, 457, 994, 1390, 1514, 1572, 1577.
- To amend section 86, of an act entitled an act to amend chapter 93, of the revised statutes of 1846, entitled of courts held by justices of the peace, the same being section 3738 of the compiled laws, 273, 434, 458, 562, 619, 751, 816.
- To amend section 1, subdivision 2, of an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, 285, 474, 668, 700, 740, 765, 1002, 1018, 1082.
- To extend the time for the collection of taxes in the townships of Lyons and Boston, Ionia county, for the year 1860, 286, 297, 298, 323, 394, 451.
- To amend chapter 82, of compiled laws, relative to the sale of swamp lands, 286, 303, 767, 769, 777, 793.
- To amend section 188, of chapter 117, compiled laws, section 3840, relative to appeals from justices' courts, 288.
- To amend chapter 79, of the revised statutes of 1846, (compiled laws, chapter 103,) by adding three new sections, numbered sections 54, 55 and 56, in relation to redemptions against sales on executions, 288, 364, 573, 1099, 1114, 1200, 1235, 1299.
- To amend section 5, of chapter 81, of revised statutes of 1846, relative to the bonds of county treasurers in certain cases, 310, 349, 356, 598, 698, 729, 777, 1083.
- To amend section 5 of an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, 311, 388, 768, 769, 793, 939, 1001, 1167.
- To amend chapter 60, of the revised statutes of 1846, and the several acts amendatory thereto, in relation to the sale of the university, primary school, salt spring and swamp lands, 311, 346, 766, 778, 791, 792.

- To authorize the township of Danby, Ionia county, to appropriate the non-resident highway tax for building a bridge across Grand river, in said township. 311, 773.
- To authorize the trustees of the First Congregational Church of Lawrence, Van Buren county, to mortgage certain real estate, 311, 316, 329, 360, 361, 451.
- To amend act No. 10 of the session of 1858, 313.
- To amend section 188, of chapter 117, of the compiled laws, in relation to appeals from justices of the peace, 313, 326, 574, 1100, 1113, 1239.
- To repeal act No. 48, of session laws of 1859, approved February 3d, 1859, in relation to the appropriation and expenditure of certain unexpended highway taxes on a road therein mentioned, 320, 768, 769, 800.
- To amend section 2 of an act entitled an act relative to the costs of proceedings in criminal cases, approved March 13, 1849, 323, 768, 769, 801.
- To repeal sections 1, 2 and 3 of an act entitled an act to protect the rights and liberties of the inhabitants of this State, approved February 13, 1855; 325, 349, 526, 576, 883, 1020, 1252, 1300.
- To amend section 25, of chapter 153, of the revised statutes of 1846, the same being section 5735 of the compiled laws of 1857, as amended by act No. 189, of the session laws of 1859, 325, 849, 576, 880, 883, 1020, 1252.
- To provide for the draining of swamps, marshes, and other low lands, 325, 348, 469, 954, 964, 1046, 1157, 1172, 1173, 1396, 1571, 1577.
- To organize the county of Delta, and define the boundaries of the same, 325, 364, 575, 1100, 1125, 1181, 1204, 1314, 1409, 1503.
- To designate the qualifications necessary to hold the office of circuit court commissioner in the county of Chippewa, 325, 788.
- Appropriating certain highway taxes, in the county of Shiawassee, for the improvement of the Corunna and Flushing State road, 326, 349, 397, 767, 769.
- To authorize the trustees of the First Methodist Episcopal Church of Lansing to convey to the trustees of the Central Methodist Episcopal Church of Lansing, lot No. 6, in block No. 96, in the city of Lansing. 330, 331, 398, 423, 520.
- To amend an act entitled an act to organize the Michigan Asylum for the Insane, and more effectually to provide for the care, maintenance and recovery of the insane, 344, 1093, 1193, 1109, 1110, 1265, 1359, 1506.
- To amend act No. 229, of the session laws of 1859, entitled an

- act to provide for the settlement and drainage of the swamp lands by actual settlers, 348.
- To change the boundaries of the counties of Jackson, Eaton, Ingham, Clinton, Gratiot, Isabella, Clare and Midland, 348, 739, 793, 1316.
- To provide for the formation of companies to construct canals and harbors, and improve the same, 362, 377, 495, 850, 960, 971, 1257, 1466, 1506.
- To organize the townships of Carp River and Superior, in the county of Marquette, 363, 377, 494, 495, 596, 598.
- To lay out and establish a State road from section 12, in the township of Danby, county of Ionia, to Pewamo, in said county, 364, 450, 803, 804, 1554.
- To organize the county of Ka-go-che-wum, in the county of Emmett, 371, 768, 769, 801.
- To extend the time for the collection of taxes in the county of Wayne, 374, 375, 400, 410, 492, 504, 620, 894.
- To extend the time for the collection of taxes in the city of Battle Creek, 380.
- To organize the township of Wisner, 396, 767, 769, 777, 790, 865, 1084.
- To amend section sixty-four, of chapter two hundred and two, of compiled laws, 405.
- To amend act No. 257 of session laws of 1859, being an act authorizing the commissioners of highways of townships, to establish water courses and locate ditches in certain cases, 405.
- To repeal subdivision 15, of section 11, of chapter 10, of compiled laws, 405, 431.
- To amend section 21, chapter 21, of the compiled laws, 405, 431, 470, 1388.
- To grant certain swamp lands in aid of the construction of certain roads in the Upper Peninsula, 405, 1266, 1319, 1320.
- To authorize Walter Crane, receiver of the estate of J. W. Duncan & Co., to build a dam across the Cheboygan river, and repealing acts No. 74 and 97 of the session laws of 1846 and 1848, 405, 421, 1232.
- To amend chapter one hundred and fifty-four of the compiled laws, being the lien of mechanics and others, 406.
- To repeal act No. 244 of the session laws of 1859, and to amend section 345 of the compiled laws, in relation to the powers and duties of the boards of supervisors of the several counties, 406, 432, 469, 1025, 1027.
- To reduce the capital stock of the president, directors and company of the Peninsular Bank, 406, 777, 1156, 1157, 1171, 1248, 1249, 1298.

- Providing for the relief of persons observing the seventh day of the week as the Sabbath, from the service of process, 406, 574, 1100, 1116, 1258, 1360, 1507.
- To provide for the organization and government of the University of Michigan, 421, 422, 455, 997, 1239, 1243, 1285, 1286.
- Authorizing the Flint and Pere Marquette railway company to extend its road from Flint to the Detroit and Milwaukee railroad, 421, 440, 623, 643.
- To repeal an act entitled an act to re-organize the county of Emmett, approved February 3, 1858, 421, 994, 1018, 1265, 1359, 1507.
- Amending sections 3, 13 and 25, of chapter 150, of compiled laws, relating to conferring upon justices of the peace jurisdiction in case of forcible entry and detainer, and forcible detainer only, 421, 699, 931, 965, 1297, 1322, 1513, 1578, 1577.
- To authorize Thomas Moseley to make conveyances, and close up the business of the Union City Iron company, in the county of Branch, 421, 431, 1161.
- To amend sections 190 and 211, of chapter 117, of the compiled laws, 423, 474, 954, 1391.
- To provide laying out and establishing a State road from Lansing, Ingham county, to Flint, in Genesee county, 428, 644, 1046, 1245, 1246.
- To provide for the formation of gymnastic associations, 430, 457, 514, 1093, 1097, 1366, 1576.
- Relating to wills, 430, 474, 996.
- To change the name of the town of Fremont, in Alpena county, to that of Alpena, 430, 597, 618, 702, 869, 893, 1083.
- To amend the charter of the city of Flint, 430, 457, 515, 566, 642, 671, 751.
- To establish the county seat of Mason county, 430, 457, 494, 802, 803, 937, 1001, 1167.
- To amend an act to authorize the conveyance of a certain lot in the village of Lansing, to the trustees of the society of the church of the United Brethren in Christ, in said village, approved February 4, 1859, 430, 543, 1000, 1014, 1313, 1409, 1507.
- To provide for increasing the State library, 430.
- For a State road leading from Tawas, in Iosco county, to Traverse City, in Grand Traverse county, and providing appropriation of swamp land for the same, 430, 645.
- To amend an act entitled an act to organize the county of Mecosta, and to locate the county seat thereof, approved February 11, 1859, 430, 471, 563, 599, 622.
- To amend section 64, of chapter 172, of the revised statutes of

- 1846, the same being section 6220 of the compiled laws, 481, 857.
- To authorize certain highways to be laid out less than four rods wide, 481, 449, 504, 545, 949, 1002, 1167.
- To authorize the conveyance of certain portions of section 16, township one south of range 11 west, in the county of Kalamazoo, 456, 699, 725, 762, 1051, 1081, 1167.
- To repeal act No. 177, of the session laws of 1859, entitled an act further to preserve the purity of elections and guard against the abuse of the elective franchise, by a registration of electors, 456.
- To amend chapter 17 of the compiled laws, and an act amendatory thereto, approved February 4, 1858, by adding a new section thereto, to be numbered section 159, 456, 474, 886, 1881.
- Authorizing the Auditor General to issue second tax deeds in certain cases, 456, 542, 616, 1158, 1159, 1177, 1265, 1409, 1507.
- To amend an act entitled an act to provide for laying out a State road in Ionia, Kent and Barry counties, approved February 12th, 1859, 437, 774, 1379, 1408, 1447, 1451, 1563, 1564, 1573, 1578.
- To provide for the registration of births, marriages and deaths, 470, 954, 972.
- To amend certain provisions of the prohibitory liquor law, and reduce the penalty for violation to practicable dimensions, 473, 543, 1040, 1422.
- To amend section 78, of chapter 17, of the compiled laws, 473, 503, 1461.
- To amend an act to provide for the incorporation of villages, approved February 17, 1857, 473, 564, 1230.
- To repeal an act to authorize Bay county to raise money by the issue of bonds, to aid in the construction of a road, approved February 4, 1859, 473, 491, 472, 619, 621, 751.
- To amend an act entitled an act for the encouragement of agriculture, manufacture and the mechanic arts, approved March 16, 1849, and the act amendatory thereto, approved February 6, 1855, 490, 1026, 1027, 1090, 1092, 1238.
- To amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1858, and the acts amendatory thereto, approved February 12, 1855, approved February 4, 1858, 491, 1025, 1027, 1398, 1399, 1416, 1443.
- To amend the charter of the city of East Saginaw, 501, 548, 617, 709, 752, 1084.
- To amend an act entitled an act to incorporate the city of Battle



- Creek, approved February 5, 1859, 502, 542, 555, 599, 600, 623, 753, 1083.
- To establish a municipal court in the city of Battle Creek, 602, 542, 930, 940.
- Giving to circuit courts jurisdiction in the nature of a quo warranto, in certain cases, 503, 888, 1382, 1512, 1572, 1577.
- To amend the charter of the village of Lowell, in Kent county, 504, 880, 1125, 1182, 1259, 1573, 1576.
- To provide for laying out and constructing a State road from Lapeer, in Lapeer county, to Sebawaing, in Huron county, 505, 564.
- To provide for a county superintendent of schools, and to amend and repeal certain sections of the primary school laws, 524, 678, 782, 1093, 1095, 1373.
- To provide for the construction and repair of bridges across navigable streams, 542, 596, 746, 1147, 1150, 1151, 1153, 1154, 1164, 1422.
- To amend an act entitled an act to encourage the manufacture of salt in the State of Michigan, approved February 15, 1859, 543.
- To attach certain unorganized townships to the county of Marquette, 543, 1318, 1375, 1545, 1575, 1581.
- Making an appropriation to defray certain expenses of the Michigan reform school, 543, 617.
- To protect the fisheries of this State, 563, 637.
- To provide for the drainage and reclamation of swamp lands by means of State roads and ditches, 563, 597, 1206, 1250, 1251, 1310, 1313, 1331, 1334, 1449, 1468, 1470, 1476, 1570, 1577.
- To amend certain sections of an act to revise the charter of of the city of Ypsilanti, approved February 15, 1859, 864, 823, 924, 926, 1203, 1409, 1508.
- To provide for referring orders in chancery, 564, 887, 1380.
- Making appropriations for the support of the State Normal School, 565, 635, 1228, 1229, 1273, 1275, 1546, 1574, 1578.
- To authorize proceedings by garnishment in the circuit court and the district court of the Upper Peninsula, 565, 958, 1315, 1372, 1401, 1423, 1541, 1575, 1581.
- To legalize the survey of a certain road in the township of Burt, in the county of Cheboyban, 565.
- To amend section 26 of an act entitled an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1849, being chapter 141 of the compiled laws, 573, 1094, 1148, 1197.
- To amend an act entitled an act to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage,

- being section 1, of chapter 52, of the compiled laws, 594, 1386.
- To provide for a Homeopathic department in the University of Michigan, 596, 737, 744, 781, 1055, 1191, 1195, 1221.
- To provide for laying out and establishing a State road from Midland City, in Midland county, via Mt. Pleasant, in Isabella county, to the Muskegon river, in Mecosta county, with an appropriation of swamp lands for the construction of the same, 597.
- To provide for laying out and establishing a State road from Saginaw City, in Saginaw county, via Midland City, in Midland county, to Houghton lake, with an appropriation of swamp lands, for the construction of the same, 597.
- To organize the county of Keweenaw, 618, 1056, 1057, 1265, 1507.
- Authorizing Eber B. Ward to receive toll upon a canal constructed by him in St. Clair county, 624, 738, 998, 1422.
- To compensate the Detroit Bar Library Association for the use of its library by the judges of the supreme court, 624, 727, 763, 880, 916, 917.
- To provide for the preservation of bridges in certain cases, 624, 671, 941, 942, 1053, 1082, 1167.
- To amend an act entitled an act for the benefit of fractional school district No. one of Vassar and No. two of Tuscola, approved February 3, 1859, 624, 1106.
- To lay out a State road from Greenbush, in Clinton county, to St. Charles, in Saginaw county, and asking an appropriation of State land for the same, 623, 681.
- To amend section 38, chapter 17, of the compiled laws, to extend the time for completing tax rolls in the several townships, cities and wards in this State, 624.
- To amend section 4461 of compiled laws, in relation to levy and sale of chattels pledged by way of mortgage, 625.
- To amend act No. 200 of the session laws of 1859, being an act to encourage the manufacture of salt in the State of Michigan, approved February 15, 1859, 640, 1422, 1430.
- To amend section 90, chapter 17, of the compiled laws, relative to the sale of lands for taxes, 643.
- Appropriating certain taxes for the improvement of a road in the counties of Eaton and Ionia, 643, 759, 1337, 1385, 1513, 1573, 1578.
- To lay out and construct a State road from East Moran Bay, in the county of Mackinac, to Milcozier Bay, in said county, donating swamp lands to aid in the construction thereof, 643, 682.
- To divide and re-organize the ninth judicial circuit, 644, 663, 1038, 1421.

- To amend the corporate limits of the village of Hastings, 644, 736, 999, 1015, 1131, 1234, 1299.
- To lay out and establish a State road in the county of Cass, and making an appropriation of swamp land for the construction of the same, 644.
- To provide for cleaning out and deepening the channel of the Wiscogin river, in the township of Geneva, by means of an appropriation of swamp lands, 644, 826.
- To amend an act to incorporate the city of Ann Arbor, approved April 4, 1861, 645, 665, 708, 818, 893, 1084.
- Entitled an act to amend act 144 of the session laws of 1849, being an act to amend act No. 21 of session laws of 1858, it being an act to amend act No. 63 of session laws of 1857, entitled an act to lay out and establish a State road in the counties of Sanilac and Tuscola, 646, 761, 1444, 1450, 1536, 1573, 1580.
- To authorize religious, eleemosynary and other corporations, not municipal, to sell, convey, exchange or mortgage real estate for certain purposes, 646, 668, 1229, 1270.
- Authorizing the trustees of the Methodist Episcopal Church of Muskegon, in the county of Muskegon, to mortgage their church edifice and lands, 646, 998, 1009, 1138, 1234, 1299.
- To authorize the laying out and building a State road from Muskegon, in the county of Muskegon, to Olam river, in the county of Clare, 646.
- Authorizing the supervisors of the townships in the county of Wayne to equalize their own assessment rolls, 678, 736, 926, 1007, 1019, 1313, 1409, 1507.
- To divide the county of Waye, and to organize a new county therefrom, 678.
- To provide for laying out and establishing highways on lines dividing this from other States, 678, 699, 746, 1228, 1229, 1273, 1511, 1572, 1576.
- To re-establish and preserve the section corners and quarter posts of the United States survey in this State, 678, 699, 749 1361, 1435.
- Appropriating certain non-resident highway taxes for the improvement of a road from the village of Gaines to the village of Flushing, in the county of Genesee, 680, 759, 957, 1054, 1063.
- To provide for the improvement of a State road from Paw Paw to Allegan, 681.
- To amend an act entitled an act to provide for the laying out and establishing a certain State road in the counties of Newaygo, Lake, Wexford and Grand Traverse, approved February 4, 1858, by adding thereto two new sections, 681.

- To authorize the construction of a road-bed and bridge across Muskegon Lake, in the county of Muskegon, on the line of the Allegan, Muskegon and Traverse Bay State road, 681.
- To legalize a mortgage executed by the trustees of the First Congregational Society of Newark, 681, 999, 1002, 1131, 1234, 1299.
- To amend section 818 of the compiled laws, to extend the time for completing tax rolls in the several townships, 681, 930, 1892.
- To provide for laying out a State road from Muskegon, in Muskegon county, to intersect the East Saginaw and Sauble State road, in Saginaw county, 683, 760.
- To amend section 1 of an act entitled an act appropriating certain highway taxes for the improvement of a road in the counties of Saginaw, Tuscola, Genesee and Lapeer, 682, 1306, 1328, 1409, 1437, 1438, 1541, 1573, 1578.
- To provide for laying out a State road from Almont, in Lapeer county, to intersect the Port Huron, Bay City and Lansing State road, in the county of Tuscola, 698, 785.
- To amend an act entitled an act to prevent fishing with seines and every kind of nets in certain counties, 698.
- To amend chapter 14 of the revised statutes of 1846, or chapter 10 of the compiled laws of 1857, entitled of county officers, 699, 737, 1081.
- Regulating proceedings in certain cases of nuisance, 699, 932, 1384, 1569, 1574, 1579.
- To provide for the improvement of the Bridgeport and Forestville State road, 728, 1147.
- To organize the township of Cedar Creek, in the county of Muskegon, 729, 965, 969, 1130, 1234, 1300.
- To legalize a certain highway in township number 4 south, range number 7 west, 734, 787, 934, 1386, 1492, 1572, 1578.
- Authorizing a special tax for the purpose of improving the State road leading from the west end of Saginaw street, in the city of Lansing, westward through the counties of Ingham and Eaton, 734.
- To attach certain territory in the county of St. Clair, to the township of Port Huron, in said county, 735, 786, 1306, 1419, 1439.
- To repeal act No. 177 of the session laws of 1859, being an act further to preserve the purity of elections, and guard against the abuses of the elective franchise by a registration of electors, 735, 786, 1041, 1378, 1436.
- For laying out and establishing a State road from Roxand, Eaton county, through the towns of Danby and Sebawa, Ionia county, 735, 827.

- To provide for clearing the Thunder Bay river, in Alpena county, and asking for an appropriation of swamp land for the same, 785, 840.**
- To provide for laying out a State road from the county seat of Isabella county, to Alma, in Gratiot county, 735, 785.**
- To provide for a State road from the village of Mount Pleasant, in Isabella county, to St. Louis, in Gratiot county, 735, 760.**
- To amend chapter 150 of the revised statutes of 1846, being chapter 175 of the compiled laws, authorizing the probate judge of Wayne county to appoint a register, 736, 931, 1109, 1116, 1260, 1408, 1506.**
- To extend the L'Anse Bay and State Line road to the head of Torch lake, and making a grant of land in aid of the construction of the same, 737.**
- To amend section 14, of title 4, of an act entitled an act to incorporate the city of East Saginaw, approved February 15, 1859, to provide for exercising the duties of circuit court commissioner by the city recorder of East Saginaw, 737.**
- To authorize the Marshall and Ionia Plank Road company to discontinue a portion of their road, and for other purposes, 738, 1104, 1148, 1263, 1409, 1507.**
- Making an appropriation to aid the Michigan State Agricultural Society, 738.**
- Appropriating certain lands lying in Allegan county for the improvement of the Kalamazoo river and harbor, 738.**
- To authorize boards of health to dispose of real estate, 744, 832, 836, 1229, 1276, 1511, 1572, 1577.**
- To restore certain sections of land in the township of Ira, to the township of Cottrelville, in the county of St. Clair, 745, 1229, 1271, 1557, 1570.**
- Authorizing a State road west from Lansing through the counties of Ingham, Eaton and Barry, and an appropriation of swamp land thereon, 756, 787.**
- To amend act No. 70, session laws of 1857, by striking out sections 5 and 6, and substituting two new sections therefor, 756, 824.**
- To amend chapter 63 of the compiled laws, entitled of mining and manufacturing companies, 756, 832.**
- For the better security of mechanics and others doing work upon buildings erected in the cities of this State, 757, 1378.**
- To provide for a female college as a branch of the University of the State of Michigan, 757, 831, 893, 1386, 1406, 1407.**
- To lay out a State road from New Haven, in Shiawassee county, 6 miles west through a certain large swamp to the ridge road on the west of said swamp, and to drain the swamp, 757, 831.**

- To provide for a State road from Chesaning, in Saginaw county, to the Junction, in Bay county, 757, 828.
- To provide for an industrial school for girls, 757, 827.
- To provide for a State road from East Saginaw to the plank road from Bay City to Tuscola, 757.
- To drain certain swamps and marshes in the county of Cass, and ask an appropriation of swamp land to accomplish the same, 757.
- Appropriating swamp lands for roads and ditches in St. Joseph county, 758.
- Making appropriations of swamp lands for building a bridge and improvement of a road, by way of ditches, in the township of Cooper, Kalamazoo county, 759, 788.
- Making appropriation of swamp lands for the improvement of certain roads in Hillsdale county; also for the drainage of certain swamps in said county, 759, 838.
- To lay out and establish a State road from the village of Buchanan, in the county of Berrien, to Lake Michigan, in or near the township of Lake, and from thence to the village of St. Joseph, in said county 759.
- To lay out and establish a State road from Traverse City, in Grand Traverse county, via Elk Rapids, to Little Traverse Bay, in Emmet county, to Duncan, in the county of Cheboygan, and to appropriate swamp lands for the construction of the same, 760, 1196.
- To provide for the laying out and construction of a State road on the township line between towns 13 and 14 north, in the county of Sanilac, 760.
- To provide for the improvement of the Midland City and Sand Beach State road, in the counties of Bay, Tuscola and Huron, 761.
- To provide for the improvement of the Lake Shore road, in counties of Huron and Sanilac, 761.
- To amend section 9 of an act to define the power and duties of the boards of supervisors of the several counties, and to confer on them certain local, administrative and legislative powers, approved April 8, 1851, the same being section 343 of the compiled laws, 761, 1041, 1100, 1112.
- Granting an appropriation of swamp lands to the county of Berrien for the drainage of certain swamps and marshes therein, 761, 840.
- To prevent officers and clerks employed in the State Land Office, and in the Auditor General's office, from purchasing lands at such offices, 766, 1038, 1420, 1545, 1574, 1581.
- To provide for certain alterations of the Pontiac and Grand River road, 774, 834, 899.

- To organize the county of Leelanaw, 781, 1376, 1381, 1391, 1413, 1414.
- For the protection of the improvement and navigation of Muskegon river, 782.
- To lay out and establish a State road from Fulkerson's, in Kent county, to White river, in Oceana county, 782, 832, 934, 1087, 1090, 1126, 1188.
- To provide for the laying out a State road in the county of Washtenaw, 782, 827.
- To change the name of the township of Newark, in Allegan county, 782, 824, 1037, 1147, 1152, 1200, 1285, 1299.
- To authorize the Jackson county agricultural society to mortgage certain real estate, 782, 1007.
- To authorize the Grass Lake Baptist Society to convey certain real estate to school district No. 9, of Grass Lake, 783, 823, 1439, 1513, 1572, 1576.
- To amend sections 11, 12 and 13, of chapter 23, of the compiled laws, relative to laying out, altering and discontinuing public roads, 783, 1163, 1207, 1373, 1447, 1452.
- To lay out and construct a State road from the east line of Fairfield to the west line of New Haven, through certain swamp lands in the county of Shiawassee, 783.
- To amend the act in relation to chattel mortgages, 788.
- To provide for the laying out and constructing a State road from the village of Forrester, in the county of Sanilac, to intersect the Pt. Austin and Sanilac State road, in the same county, 783, 829.
- To amend section 15, of chapter 175, of compiled laws, relative to fees of justices of the peace in civil cases, 784, 1040.
- To provide for a State road from East Saginaw, via Watrous-ville, to Forrestville, in Sanilac county, 784, 831.
- To amend the 15th subdivision of section 145, of the compiled laws, entitled an act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, 784, 1490.
- To repeal act No. 200 of the session laws of 1859, entitled an act to encourage the manufacture of salt in the State of Michigan, 784, 829, 1567.
- For constructing a ditch in the township of Riga and Blissfield, and ask an appropriation of swamp lands for the same, 784, 825.
- To confer certain powers upon the board of supervisors of the counties of Marquette and Delta, 784, 827, 1043, 1394, 1405, 1536, 1571, 1581.
- To attach the county of Manitou to the county of Emmet, for judicial purposes, 784.

- Making appropriations of State swamp lands, in and for the counties of Wayne and Monroe, 785.
- To establish a State road in Manitou county, and appropriating swamp lands to aid in constructing the same, 785.
- To provide for the appointment of examiners in chancery, 786, 1355, 1435.
- To change the name of Edmund A.'Shirts to Edmund A. Tanner, 786, 1042.
- To provide for the improvement of a certain read in the township of Alsiedon, 786.
- To provide for the purchase of a collection of the township laws for the several townships of the State, 786, 935, 1315, 1376, 1540, 1575, 1579.
- To divide the State into six congressional districts, 787.
- To vest the title of certain swamp lands, in the townships of Lansing and Meridian, in the county of Ingham, and the townships of Dewitt and Bath, in the county of Clifton, in the State Board of Education, for the use of the agricultural college, 787.
- To amend sections 188 and 193, of chapter 117, of compiled laws of 1857, relative to entrance fees of appealed suits in circuit or district courts, 787, 996.
- To amend act No. 176, approved February 14, 1859, relative to the protection of game, 788.
- To authorize the trustees of the Grass Lake Baptist Society of the township of Grass Lake, in the county of Jackson, to convey certain real estate to school district No. 9 of said township, 812, 1373.
- To authorize the Jackson county agricultural society to borrow money and mortgage certain real estate to secure the payment of the same, 812, 1007, 1012, 1265, 1408, 1507.
- To restore certain territory included in the city of St. Clair to the township of East China, 813.
- To provide for the drainage of swamp lands in certain townships in the counties of Kent and Newaygo, 813, 1379.
- Vesting with police powers, marshals and their deputies, at State and county fairs, 814, 1315, 1377, 1514, 1572, 1577.
- To repeal an act relative to the admission of attorneys, solicitors and counsellors, approved March 31 1851, 815, 1379.
- Appropriating 20,000 acres of swamp lands for the purpose of constructing and repairing roads and bridges across the Rouge and Huron rivers, in the county of Wayne, 822.
- To change the name of Alice Case, 822, 995.
- To authorize the common council of the city of Lansing to vacate a portion of a certain street therein, and to provide for the disposition of the same, 823, 1353.



- To provide for the improvement of a State road from Newburg to Dowagiac, in the county of Cass, and asking for an appropriation of swamp land for completion of the same, 823.
- To authorize the trustees of the Second Society of the Methodist Episcopal Church of Detroit to mortgage real estate, 823, 999, 1010, 1234, 1299.
- To organize the Wayne county farm into a school district, and appropriate public moneys to the education of poor children, 823, 927, 966, 1237, 1359, 1507.
- To provide for the expenses of the trial of persons holding, or who have held State offices, for malfeasance in office, 824, 893, 1383, 1514, 1572, 1577.
- To provide for the removal of stagnant waters, 824, 998.
- To prevent the adulteration of coal oil, 824, 1128, 1185, 1366, 1466, 1506.
- To amend an act to incorporate the Boston and Pittsburg mining company, of Pittsburg, 824.
- To attach the county of Manitou to the county of Mackinac for certain judicial purposes, 824, 1078, 1266, 1319, 1324, 1325, 1512, 1570, 1581.
- To amend section 63, of chapter 60, of the revised statutes of 1846, being section 2505 of the compiled laws, relative to trespasses on the public lands, 825, 993, 1387, 1492, 1573, 1577.
- To amend section 2, of chapter 154, of the compiled laws, on liens upon real property, 825, 1043.
- To amend section 23, of chapter 106 of the revised statutes of 1846, being section 4461 of the compiled laws, relative to levy and sale of goods on execution pledged by way of mortgage, 825, 992, 1392, 1512, 1571, 1576.
- To amend an act entitled an act to incorporate the Michigan association for the improvement of the breed of horses, approved April 23, 1853, 825, 1550, 1551.
- To amend an act entitled an act to prevent fishing with seines and every kind of nets, in certain counties in the State of Michigan, 825, 929, 1399, 1400, 1416, 1432, 1534, 1574, 1579.
- To provide for the laying out and establishing a swamp land State road, in the counties of Lapeer and Sanilac, 826.
- To establish and provide for the construction of the East Saginaw and Bay county State road, 826.
- To dispose of the swamp land within this State, 826.
- To provide for the improvement of a State road from Newburg, in the county of Cass, to Paw Paw, in Van Buren county, and asking an appropriation of swamp land to accomplish the same, 826.
- Granting an appropriation of swamp lands to the county of

- Livingston, for the drainage of certain swamps and marshes therein, 826.
- To amend section 3, of act No. 152, of session laws of 1859, for laying out and establishing a State road in Saginaw and Genesee counties, 827, 1362, 1434.
- To provide for constructing the Pine Run and Tuscola State road, 827.
- To encourage the development of petroleum oil, 827.
- To amend section 12 of an act entitled an act further to preserve the purity of elections, and guard against the abuse of the elective franchise by a registration of electors, approved February 14, 1859, 828, 992, 1042.
- To amend section 2, chapter 119, of revised statutes, section 3767 of compiled laws, 828.
- To amend section 15, of chapter 175, of the compiled laws, relative to fees of justices of the peace in civil cases, 828.
- Appropriating 10,000 acres of State swamp lands for the construction of a State road from the village of Buchanan, to Lake Michigan, in the county of Berrien, 828.
- To provide for the support and maintenance of the Michigan mining school, 828, 1105, 1117.
- To encourage the mining of copper, 829.
- To appropriate the unsold, and the balance of principal and interest on the sold swamp lands, in the counties of Kalamazoo and Van Buren, for the purpose of draining said lands, and for building bridges and for making and repairing roads in said counties, 829.
- To repeal act No. 200, of the session laws of 1859, the same being an act to encourage the manufacture of salt in the State of Michigan, 830, 1429.
- To provide for the drainage and reclamation of swamp lands in township 23 north, of range 14 west, and to aid the township of Manistee in the improvement of the harbor at the mouth of Manistee river, in said township, 830.
- To prevent fishing with seines, nets and spears, in the lakes known as Devil's lake and Round lake, in Lenawee county, 830, 929, 1393, 1492, 1572, 1577.
- To establish a State road from Flowerfield, St. Joseph county, to Charlestown, Cass county, and an appropriation of swamp lands therefor, 830.
- To encourage the mining of iron ore, 831.
- To provide for the establishment and construction of a State road from the Grand River road, in the township of Greenfield, county of Wayne, to be called the Greenfield and Oakland State road, 831.
- To provide for the improvement of a State road in the counties of Lapeer and Sanilac, 832.

- To amend an act entitled an act in relation to free schools in the city of Detroit, approved February 7, 1857, 832, 928, 1070, 1071, 1181, 1203, 1235, 1299.
- To provide for laying out and establishing a State road on the range line in the county of Sanilac, 832.
- Prohibiting the county auditors of Wayne county from allowing any extra compensation for services rendered to the county beyond what the law provides, 837, 1170, 1207.
- To amend chapter 141, compiled laws, relative to proceedings against garnishees, 887, 1104, 1148.
- To repeal an act entitled an act in relation to vacancies filled by appointment by the Governor, 838, 996.
- Authorizing the Auditor General to return to Robert P. Sinclair the money received for the redemption of certain land sold for taxes, 838, 892, 1039, 1383, 1491, 1572, 1578.
- To regulate fisheries in the waters of the State of Michigan, 838, 928, 1372, 1400, 1562, 1563, 1570.
- To lay out and establish a State Road in the counties of Macomb and St. Clair, from Lake St. Clair to the township of Brockway, in St. Clair county, 838.
- To provide for draining the lands along the shores of Shiawassee and Bad rivers, and to improve said rivers, 838.
- To amend section 12, of chapter 47, of the compiled laws, relative to lost goods and stray beasts, 839, 1459.
- To amend an act entitled an act to incorporate the city of Jackson, approved February 14, 1857, 839, 1358, 1436, 1545, 1575.
- To provide for the preservation of the Muskegon river improvement, and to authorize tolls for the same, 839, 926, 1378, 1414, 1415, 1502, 1576, 1580.
- To provide for woman's rights, 839, 889, 1423.
- To provide for the construction and improvement of the State road from Paw Paw to Allegan, 839.
- To provide for laying out and establishing a State road in the county of Kalamazoo, and appropriations of swamp lands to aid in the construction of the same, 839.
- To amend section 2, of chapter 20, of the compiled laws, relative to the meeting of highway commissioners, 839, 1163, 1222, 1246.
- To authorize the Board of State Auditors to contract for building a bridge across Grand River, in the city of Lansing, 840.
- To appropriate 500,000 acres of swamp land to improve and pave the streets of the city of Detroit, 840.
- To provide for the erection and maintenance of shutes for the passage of fish, through the dams across the streams of this State, 840, 1345, 1346, 1511, 1575, 1579.
- To lay out a State road from Byron, in the county of Shiawassee, to Howell, in the county of Livingston, 841.

- To provide for the construction of a road from Charleston, in Cass county, to Decatur, in Van Buren county, and an appropriation of swamp lands therefor, 841.
- To change the name of a minor child in Lenawee county, 841, 995.
- Appropriating swamp lands to aid in constructing and improving all roads in the State of Michigan, 841.
- To re-establish section 5, of chapter 6, title 3, of the compiled laws, in relation to calling special elections by the board of supervisors, 841, 1459.
- To provide for laying out and establishing a State road from Galesburg, in the county of Kalamazoo, to Mendon, in the county of St. Joseph, and to appropriate swamp lands for the same, 841.
- To amend an act entitled an act to provide for the drainage and reclamation of swamp lands in township 6 north, of range 14 and 15 west, being act No. 168 of session laws of 1859, 842.
- To lay out a State road from Big Rapids, in Mecosta county, to intersect the Port Huron, Bay City and Clinton State road, and a grant of swamp lands therefor, 842.
- To amend section 50 of an act entitled an act to amend chapter 93 of the revised statutes of 1846, entitled of courts held by justices of the peace, approved February 13, 1855, 842.
- To use up all the swamp lands in the State, 842.
- To amend sections 2, 3, 4, 6, 7, 8, 12 and 16, of an act to repeal chapter 25 of the revised statutes of 1846, 842, 1459.
- To amend chapter 117 of the compiled laws, in relation to certioraris, 842, 1039.
- To provide for the raising and paying over to the new counties their share of \$5,000,000 loan, for the improvement of said counties by means of railroads and otherwise, and to prevent the older children from appropriating the property of the younger because they have the power, 843.
- To amend section 2, chapter 119, of the revised statutes of 1846, being section 3967 of the compiled laws, 1038, 1419, 1546, 1570, 1580.
- To appropriate 2,500 acres of swamp lands to open and improve the State road from Mecosta county to the county seat of Oceana county, 1531, 1571, 1580.

#### SENATE BILLS AND ACTION THEREON.

- To repeal act No. 197 of the session laws of 1859, being an act to restore certain sections of land to town 6 south of range 5 east, approved February 15, 1859, 94, 100, 219, 327.
- To repeal act 29, of the session laws of 1859, 94, 98, 117.

- To extend the time for the collection of a drain and ditch tax in the townships of Brownstown and Romulus, in the county of Wayne, 129, 133, 191, 229.
- To amend an act entitled an act to provide for the construction of train railways, approved February 13, 1855, by adding two new sections thereto, to be numbered sections 33 and 34, 155, 293, 328.
- To authorize fractional school district No. 1 of the township of Shelby and Sterling, in the county of Macomb, to issue bonds, 155, 166, 178, 180.
- To change the name of Alonzo M. Baldwin, 167, 465, 504, 545.
- To extend the time for the collection of taxes in the townships of Clay, Kimball and Riley, in the county of St. Clair, 167, 193, 194, 229, 287.
- To extend the time for the collection of taxes in the townships of Clyde, Columbus and St. Clair, in the county of St. Clair, 193, 194, 229, 282, 283.
- To authorize the sale, by the State Treasurer, of two thousand copies of the compiled laws, 193, 194, 281, 481, 508.
- To change the name of William Franklin Kelley, 193, 194, 464, 502, 546.
- To change the name of Clarissa Melissa Wing to Clara Barnes, 193, 194, 245, 480, 505.
- To amend an act entitled an act to provide for the incorporation of railroad companies, approved February 12, 1855, 194, 278, 480, 511, 541, 1359, 1375, 1376, 1442.
- To provide for the payment of members and officers of the Legislature for the year 1861, 207, 224, 239, 240, 241, 266.
- To repeal an act to amend an act entitled an act to amend chapter 23 of the revised statutes of 1846, relative to highway taxes, approved April 2, 1850, 238, 275, 480, 507.
- To amend sections 4339, 4340, 4341 and 4342 of the compiled laws, in relation to the competency of witnesses and examination of the parties in certain cases, 238, 372, 390, 394, 502, 630, 1159, 1178, 1179, 1191.
- To amend sections 7, 13 and 21, of chapter 12, of the revised statutes, being sections 154, 160 and 173 of the compiled laws, 238, 280, 481, 482, 510.
- To organize the township of Winfield, in the county of Mecosta, 290, 304, 368, 369, 800.
- To change the name of Cynthia Massey to Tinnie Young, 308, 464, 502, 544, 1364.
- To amend sections 3520, 3521 and 3522, of chapter 115, of the compiled laws, concerning the abatement and revivor of suits in chancery, 324, 467, 1093, 1096.
- To amend act No. 248 of the laws of 1849, entitled an act to regulate fire, marine, life and health insurance companies and

- their agents, associations, partnerships, and individuals doing fire, marine, life and health insurance business, not incorporated by the State of Michigan, approved February 15, 1859, 324, 342, 395, 481, 482, 521, 567, 568.
- To amend section 2033 of the compiled laws, relative to gifts and bequests to religious societies, 325, 428, 596, 1158, 1159, 1176.
- To extend the time for the collection of taxes in the township of Groveland, in Oakland county, and the township of Orleans, in Ionia county, for the year 1860, 335, 336.
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- To amend an act entitled an act disposing of certain grants of land made to the State of Michigan for railroad purposes, by act of Congress approved June 3, 1856, approved February 14, 1857, 429, 471, 542, 550, 569, 571, 600, 605.
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- To amend sections 11 and 127 of the compiled laws, relative to security of costs in justices' courts, 1052, 1105, 1118.
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- To amend sections 2014 and 2017 of the compiled laws, in reference to religions societies, so as to authorize the recording of articles of association, and to give the trustees, wardens and vestrymen authority to execute securities upon church property in certain cases, 1128, 1160, 1223.
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- To amend section 59, chapter 6, of the compiled laws, concerning the canvassing of votes at elections, 1129, 1254, 1319, 1355, 1503.
- To make appropriations for removing east wall, and building work shops at the State prison, 1229, 1459, 1515.
- Making an appropriation for the support of the Michigan Asylum for the Deaf, Dumb and Blind, at Flint, and for completing certain portions thereof, 1129, 1340, 1342, 1561.
- To amend section 8, of chapter 65, of the revised statutes of 1846, regulating the execution of deeds and other instruments affecting real estate, 1129, 1353, 1419, 1528, 1566.
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- To amend an act relative to the State Prison, approved February 12, 1857, being sections 6231, 6232 and 6233 of compiled laws, 1141, 1142, 1165, 1457.
- To amend chapter 170, of the revised statutes of 1846, being chapter 200 of the compiled laws, by adding four new sections thereto, relative to conditional pardons, 1141, 1142, 1354, 1519.
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- To amend an act incorporating the Boston and Pittsburgh mining company, approved March 18, 1848, 1142, 1357, 1516.
- To amend chapter 32 of the compiled laws, entitled of limited partnerships, 1142, 1165, 1206.
- To quiet title in the county of Kent, 1142, 1255, 1320, 1321.
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- To incorporate the public schools of the city of Adrian, 1198, 1255, 1321, 1322.
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Of G. S. Ramsdell, H. S. Burnett, D. G. Royce, C. H. Lemon and 27 others, for the repeal of the law for the encouragement of the manufacture of salt, 1077.

Of John P. Derby and others, citizens of Michigan, against the repeal of the salt bounty law, 1403.

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- Of Deborah Palmer and 25 others, that certain territory be detached from the City of St. Clair, 724.
- Of M. Jeffers and others, citizens of Michigan, against the repeal of the salt bounty law, 1402.
- By Mr. W. N. Stevens:
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- Of George P. Williams, L. Fasquelle, Alfred Duboise, and 21 others, for a county superintendent of schools, 215.
- Of D. McIntyre, Silas H. Douglass, John W. Maynard and about 45 others of Washtenaw county, for a system of banking similar to that of Ohio and Indiana, 386.
- Of Silas Pratt, Chas. M. Jones, N. Chapman and 61 others, residents of the village of Ann Arbor, asking to be annexed to said city, 628.
- Of C. L. Ford, A. Sayer, L. Fasquelle, S. H. Douglass and 11 others, members of the faculties of the University of Michigan, for the registration of births, deaths and marriages, 629.
- Of E. W. Whitmore, S. P. Jewett, G. W. Crossey, J. C. Bird, and 26 others, of Ann Arbor, for the passage of an act to define the rights and powers of the regents, president and professors of the University, 695.
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- Of Joseph Pray, C. H. Wheeler, E. D. Boyden, Michael Duffy, Henry Todd, and 200 others, residents of Washtenaw Co., against the repeal or alteration of the law for the encouragement of agriculture and manufactures, &c., 956.
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- By Mr. A. Stevens:
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- Of Wm. R. McCormick and Albert Miller, proprietors of "Daglish's Division" of Portsmouth, Bay county, that the

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Of Harvey Williams and 175 others, against any law which shall prohibit trap net fishing, 846.

Of George E. Smith, A. Miller, B. B. Hart and 60 others, for a State road from Bay City to East Saginaw, and an appropriation of swamp land for the same; of George W. Waldron and others, citizens of Saginaw county, against the repeal of the salt bounty law, 1403.

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Of Charles L. Miller and 50 others, to relieve observers of the 7th day as the Sabbath, from suits at law returnable on that day, 414.

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Of P. Marantette and 270 others, citizens of St. Joseph county, asking an extension of time to the Grand Rapids and Indiana railroad company, 629.

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Of E. W. Higgins, C. K. Robinson and 50 others, citizens of Michigan, against the repeal of the salt bounty law, 1402.

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Of Benjamin Fairchild, Silas Dunham and 98 others, for a State road from Muskegon to the head of navigation of the Saginaw river, 135.

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Of H. C. Wylie, Leander Smith, and 118 others, for a State road from Muskegon to the head of navigation on the Saginaw river, and an appropriation of swamp land therefor, 369.

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Of B. Seton, Wm. Loop and 42 others, for a State road from Muskegon to Saginaw river, in Saginaw county, 438.

Of John S. Millian and 18 others, for a State road from Muskegon to Saginaw, and an appropriation of swamp lands therefor, 438.

Of J. M. Cumings, Fred M. Cumings and 89 others, for a State road from Grand Rapids to Croton, 956.

Of J. M. Cumings, F. M. Cumings, and 42 others, for stringent usury law, 989.

Of B. Saxton, J. M. Cuming and 37 others, against the appointment of commissioners to treat with traitors, and against repealing the personal liberty laws, 989.

Of Lucian Rouse and others; of Sidney McGitt, C. C. Eddy, and 39 others, for an amendment to the constitution relative to universal suffrage, 1029.

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Of B. F. Staum, George Hancock, C. Wood Davis and 8 others, citizens of Detroit, against the repeal of the personal liberty laws, 723.

Of Samuel Ludlow, Henry Hagerty, Bela Hubbard, Wm. Woodbridge, Sen., and 105 others, tax-payers of the township of Springwells, to abolish the office of city assessor of Detroit, and allow each ward one assessor, 804.

Of sundry persons for relief against the taxes and other burthens imposed upon the people of the ninth ward of the city of Detroit, 845.

Of Wm. Woodbridge, D. Thompson, F. E. Eldred, N. W. Brooks, Porter Kibbee and others, tax payers of the city of Detroit, for relief against taxes and other burthens, in the 9th ward of the city of Detroit, 855.

Of L. W. Furguson, Joseph Parks, J. W. Nelson and 31 others, citizens of Wyandotte, in the county of Wayne, that the law granting a bounty on salt may be repealed, 1028.

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By Mr. Wade:

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Of G. W. Smith and 59 others, citizens of Jackson county, to repeal the existing law prohibiting the manufacturing and sale of spirituous liquors, and for an amendment to the constitution, authorizing a license law, 628.

Of C. A. Cray, L. F. Pickett, and 110 others, of Jackson county, for a stringent usury law, 664.

Of G. W. Gibbons, S. N. Lee and 77 others, citizens of Blackman and Henrietta, in Jackson county, for the repeal of the Jackson and Michigan plank road charter, 724.

Of Aaron Brown and 79 others, of Leoni, Jackson county, for an amendment of the present liquor law, 854.

By Mr. Wallin:

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Of J. W. Kent, W. S. Miners, John Henderson, P. O. Littlejohn, John Seward Cray, E. B. Grover, R. Weare, Porter Rood, Benjamin Pratt and 203 other citizens of Allegan county, for the repeal of the prohibitory liquor law, and for the submission to the people of an amendment to the constitution, authorizing the passage of a license law, 1077.

By Mr. Warner:

Of S. P. Mead, C. W. Hatch and 42 others; of J. Mott, J. Williams and 70 others, for a law to regulate fishing in this State, 724.

By Mr. Waterbury:

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Of Asa M. Sly, A. W. Willets and 163 others, for a law authorizing commissioners of highways to boom rivers, and protect bridges in this State, 59.

Of W. Raymond, Thomas Oldfield and 129 others, for an appropriation of swamp lands, for the improvement of the Port Sanilac and Tuscola State road, 122.

Of Isaac Green and 132 others, for an appropriation of swamp lands to assist in constructing a road from Bridgeport, in Saginaw county, to Forestville, in Sanilac county, 214.

Of James K. Kelly and 51 others, for a State road in the county of Sanilac, and an appropriation of swamp lands therefor, 257.

Of John H. Beckett and 77 others, citizens of Sanilac county,

for the extension of the Fremont State road, and an appropriation of swamp lands therefor, 258.

Of A. W. Kimball and 16 others, for an appropriation of swamp land, to improve the Port Austin and Lexington State road, and for an amendment to the act providing for the establishment of said road, 341.

Of supervisors of Huron county and 71 others, for an appropriation of swamp lands, on the State road from White Rock, in Huron county, to Ellington, in Tuscola county, 463.

Of Ebenezer Ludlow, John Smith and 26 others, of Huron county, for an appropriation of swamp lands on the Port Huron and Lexington State road, 463.

Of Mr. Comington, O. C. Cutler and 106 others, for an appropriation of swamp land, on the State road from Midland City, in Midland county, to Sand Beach in Huron county, 653.

Of R. Kelly and 38 others, for a county superintendent of schools, 664.

Of Eli W. Moore, A. Raymond and 45 others, citizens of Washtenaw county, against the repeal of the personal liberty laws, 664.

Of Norman Wait and 48 others, for a branch of the State road leading from Bridgeport, in Saginaw county, to Forrestville, in Sanilac county, and for an appropriation of swamp lands therefor, 724.

Of John Malpen and 51 others, for the laying out of a State road from Almont, in Lapeer county, to the forks of the Cass river, and an appropriation of swamp land therefor, 770.

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Of L. A. Rose, James Ruggles, S. E. Earl, C. D. Johnson and 53 others, for the repeal of the personal liberty laws, 723.

Of Benj. F. Ferris, J. M. Rowell and 50 others, for the repeal of the personal liberty laws, 845.

**By Mr. Wheeler:**

Of Jesse Fonda and 13 others, for an amendment to the library laws, 723.

Of L. C. Osborn, Thos. Mitchell and 34 others, against vacating a portion of the plat of the village of Constantine, 955.

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- Of T. L. Sackett and others, for a law authorizing the township of Clinton to dispose of certain real estate, 870.
- Of J. F. Buffum, J. M. Chapman and others, for a banking law similar to that of Ohio and Indiana, 461.
- Of J. P. Smith and others; of S. L. Andrews, J. W. Dyer, and others, for the registration of births, deaths and marriages, 461.
- Of Crockett McElroy, Thomas C. DeLand and others, against attaching certain sections of land to the township of Cottrelville, in St. Clair county, 514.
- Of John Wright, C. B. Newbury, E. W. Giddings, A. K. Rawles and 106 others, citizens of Romeo, against the repeal of personal liberty laws, 553.
- Of S. B. Bliss and others, citizens of Michigan, against the repeal of the salt bounty law, 1403.
- By Mr. J. B. Wilson:
  - Of Robert W. Cummings, for relief for expenses incurred by him in contesting a claim to swamp land, 24.
  - Of Charles Waterbury and 68 others, for a law extending the "Branch road," provided for in session laws of 1859, 256.
  - Of H. Emory and 30 others for a swamp land State road from Almont, in Lapeer county, to the forks of Cass river, in Tuscola county, 258.
  - Of Geo. C. Bidwell and 31 others, of Lapeer county, for county superintendent of schools, 295.
  - Of Lyman Wadleigh and 37 others, for a State road from Almont, Lapeer county, to the forks of Cass river, in Tuscola county, 357.
  - Of James S. Deming and 32 others, of Lapeer county, for a State road, and an appropriation of the non-resident tax thereon, 387.
  - Of J. C. Erving, against a State road being laid in the township of Allison, 387.
  - Of J. B. Deneen and 70 others, of Lapeer county, for a State road from Almont, in Lapeer county, to intersect the Port Huron and Vassar State road, in the county of Sanilac, 437.
  - Of Wm. Abbott and 61 others, of Lapeer county, for a State road from Almont, in Lapeer county, to intersect the Port Huron and Vassar State road, in the county of Sanilac, 438.
  - Of S. S. Robinson, agent of the Quincy mining company, and 17 others, resident of Portage township, in Houghton county, asking that in case said county be divided, that the site be not located in the new county, 513.
  - Of Wm. W. Barber and 26 others, of Lapeer county, asking

an amendment to the 15th subdivision, of section 145, of the compiled laws, 770.

By Mr. Woodman:

Of S. B. Morehouse and 215 others, for the levying of a special tax in certain townships in Van Buren and Allegan counties, to improve the harbor at the mouth of South Black river, 135.

Of N. H. Phelps and 21 others, for an act to authorize the First Congregational Church of Lawrence, to mortgage real estate, 294.

Of Orrin T. Welch and 32 others, to incorporate the village of Decatur, 386.

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# ERRATA.

Page 1204 for "A bill to *repeal* act No. 177," read "A bill to *amend* act No. 177," &c.

Page 1306, report of committee on enrollment, the bill having been previously reported and signed by Governor.

Page 1844, for "E. Munson" Choate, read "Emerson Choate."

Page 1858, 18th line from top, for "*Senate*," read "*House*."

Page 1361, insert after yeas and nays, the words " *Title agreed to.*"







# **STATE OF MICHIGAN.**

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**Joint Doc. No. 1.**

**LEGISLATURE, 1861.**

**[EXTRA SESSION.]**

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## **GOVERNOR'S MESSAGE.**

*Fellow-Citizens of the Senate and House of Representatives:*

Under the authority vested in the Executive by the Constitution of the State, I have summoned you together in extra session upon the most extraordinary occasion which has had existence since the formation of the Federal Government.

African slavery, the great and only disturbing element in our institutions, after having ruled the country for sixty years, and during that time driven the free States from one humiliating concession to another, until they had fairly reached the wall, and from the mere instinct of self-preservation refused to go further, has dropped the mask and taken up arms. Grown overbearing from its former successes, and insolent through its long cherished pride and disregard of the rights of men, it now seeks to make its power predominant over the whole country by force. Having been beaten in an election, it deliberately nulifies the Constitution, defies the laws, confederates in a pretended form of government, raises armies, besieges and takes a fortress, marches boldly upon the National Capitol to unseat the lawfully

electd President of the Republic, and makes its final appeal to the arbitrament of battle. It has left us no choice but to surrender our free government or fight for its preservation. In that choice a brave and loyal people could not hesitate. The President of the United States, occupying the chair of Washington, by the same right and under the same solemn forms by which the Father of his Country held it, has accepted this issue. He has unfurled the flag under which all our history has been made, and summons the loyal sons of the heroic founders of the government in arms to defend it. He will fight to maintain the Constitution and the Union, and the whole people of the loyal States with one voice have affirmed the wisdom, the justice, and the patriotism of that determination.

In this sacred war, for it is nothing less, the people of Michigan desire to do their whole duty, and it is for us, their chosen representatives, to provide the means and lead the way.

On the evening of the 15th of April last, I received a telegram from the War Department at Washington, that a call was made upon me, as Commander-in-Chief, for one regiment of the militia of the State for immediate service. On the next day, however, I was informed from the same source, that if the quota of Michigan should be ready by the 20th of May, that would suffice. Immediately upon receiving these dispatches, I issued my proclamation to the people of the State for volunteers to form two regiments of infantry, in pursuance of the law of your late session, authorizing the organization of two regiments to meet such a call. That law had this strange omission, that while it provided for raising the regiments and paying the volunteers and officers at certain fixed prices, it did not appropriate so much as one dollar to meet the expenses to be incurred by virtue of its provisions. It, therefore, became necessary to seek outside of the statutes, means to defray the expenses of recruiting, arming, equipping and uniforming the regiments. This was done by an appeal to the patriotic people of the State to advance the money as a temporary loan, trusting to the justice of the Legislature for its prompt repayment. That resource

was found amply sufficient, and I desire now, on behalf of the whole people of the State, in this public manner to thank those public-spirited gentlemen who came forward with such promptness to aid me with their money and their advice in that emergency. You, gentlemen of the two Houses, will take care that no man suffers in the smallest degree in consequence of his generosity in that respect.

The people answered the call for volunteers with such enthusiasm and alacrity as will forever be an honor both to them and the government under which we live. In just nine days from the time when the call of the President was received, the ten companies, composing the first regiment, were full, and the officers commissioned; and in one day more the second regiment was in like manner organized. On the 30th day of the same month of April, both the regiments were in camp in Detroit, in good order and in fine condition.

When it is taken into account that at the time the President called for one regiment of Infantry from Michigan there was not anything like a full regiment in the State, nor even a single company with the full complement of men required by the call, and that there was no money in the Treasury, that could be used for military purposes, I am more than satisfied with the progress made.

For a more detailed account of the present condition of the military forces, I refer you to the report of the Adjutant General, John Robertson, which will be laid before you, and of whose efficiency I have occasion to speak in the highest terms. •

In the choice of companies to compose the first and second regiments, some embarrassment was felt in consequence of the great competition between them, to be included therein, arising chiefly from the fact that many of our fellow citizens either did not understand the statute under which we were acting, or in their zeal refused to recognize its justice. That statute left me no discretion, but absolutely required me to select first such companies of the uniformed militia of the State as might be offered, and these were nearly sufficient to answer the entire call.

The people, however, will not be satisfied with the two regiments provided for by law, and already full companies enough have been formed to fill at least three more regiments, while the business of recruiting still goes on as briskly as at first. They recognize the fact that the struggle is imminent and great,—that the existence of the government is involved in its success. It had not been really believed by our countrymen of the Free States that such a government as this could be broken up by those who had grown great and rich under its benign protection; but the attack upon Fort Sumter, and the fall of that stronghold, roused them like the shock of an earthquake! All previous political differences were at once forgotten, party lines obliterated, and the whole mass of the people have seized their arms and demand to be at once led forth to battle against this most foul and unnatural rebellion. They are not satisfied with an army of 75,000 men, and they mean to quadruple it. They call upon the President of the United States to abandon at once and forever the policy of mere defense of the national forts and property, and immediately to take the field to punish the traitors, who are in arms against their country, and reduce rebellious States to unconditional obedience. A dishonored flag and gallant little band driven forth with fire and sword from a national fortress, call for speedy redress, and the people of the country declare that they shall get it.

It has been thought best in all respects, that the troops to go from Michigan into the service of the United States, should be fully armed, equipped and uniformed before they leave the State. So far, this has been, I believe, well and economically done, and the two regiments are prepared to march to the assistance of the National Government, in a condition immediately to take the field, and if need be, to fight a battle. They are under the command of the most intelligent and thoroughly educated officers, several of whom have seen previous and honorable service in the army of the United States. Both officers and men are rapidly perfecting themselves in military drill and warlike science. They are gallant citizens from all

the walks of life, who go forth to fight, not for conquest, but for liberty, security and peace. I look to see them return, bearing the laurel wreath of victory.

Though the President has thus far, called for but one regiment from this State, there can be little doubt that he will finally ask for several more, and it will be your duty to provide amply in all respects, for meeting promptly and efficiently such a demand. I recommend, therefore, that the law of your late session, authorizing the raising of two regiments be so amended as to authorize calling immediately into the field for drill and placing on a war footing, four more regiments, making in all six, with power, in case of emergency, to raise the number to ten. It would seem proper also, to pay the volunteers while in the service of the State, preparatory to being called into the service of the United States, at the same rate that they will be entitled to after being mustered into that service.

The great addition to the duties of the offices of Adjutant and Quarter-Master General, occasioned by calling into active service so large a body of the militia, has rendered it necessary for these officers to devote the whole of their time to the business of their respective offices. The salaries allowed them by the present law are wholly inadequate as a compensation, having been provided solely in view of their duties during the time of peace. I recommend, therefore, such an increase of the salaries of these officers as will be a fair compensation; such increase to continue during the present national troubles. I also recommend that all subsequent enlistments be for the term of three years, or until discharged from service by the Government of the United States; and that authority be given to order the volunteers so enlisted to any point out of this State, in aid of the General Government, or of any loyal State that may be invaded by the armies of the Confederate States, or any other mob. This seems necessary for the present, and until Congress shall confer upon the President sufficient authority to call volunteers into service for a much longer term than three months.

In many instances, the companies of the volunteer uniformed militia have been mustered into the service of the United States ; and other cases will occur, while these companies still desire to retain their position in the ordinary volunteer force of the State. I recommend that these companies be authorized to organize reserve corps of their companies, which may be officered temporarily, in order that they may continue their practice and drill. I recommend also that the companies of the uniformed militia now limited to forty, be allowed to be increased to sixty.

Considerable expenses have already been incurred and paid from the voluntary loan of citizens to the State, and large expenses have been incurred in recruiting, by individuals, which there is now no authority of law for paying, while very heavy outlays will become necessary in the future, in putting the State into a condition to meet such calls as may hereafter be made by the government of the United States for troops. I recommend the raising of the necessary amount to meet every exigency, by a loan. As to what may be the best manner of effecting such a loan must be left entirely to your discretion. I think, however, it will be wise to consider that the suddenness with which this war has been thrust upon the country, has taken nearly every loyal State of the Union by surprise, and they are all, like ourselves, borrowers in the market. It will, therefore, be found essential that the loan be issued in such form as to enable our own people to take it, to a very great extent, and thereby avoid going abroad into markets where we shall meet the active competition of other States. For this purpose it seems evident that to issue a large portion of it in bonds or other securities, moderate in amount, with interest at seven per cent., payable annually at some point within the State, will be most likely to effect the object. If this course is taken, I have reason to believe that by far the greater portion of the loan will be taken in Michigan, and thus we should have the satisfaction of knowing that the patriotism of our own people was found a sufficient resource in the very greatest emer-

gency. The whole amount to be raised, I think, should not be less than one million of dollars, to be issued and used as the necessities of the State may require.

Of the power of the Legislature to authorize such a loan, I entertain no doubt whatever, and therefore do not stop to discuss it. We are in the midst of war. The very existence of the government is imperilled and we cannot stop to levy and collect taxes before forces are raised, nor would it be wise, if we could, to add to the calamities of war those of heavy taxation. That belongs properly to the times of peace and business prosperity.

It is only the dictate of humanity and justice to make provision for the support of the families of such as volunteer to fight the battles of the country in case any occasion should arise for such support. I therefore recommend that you enact a law authorizing the towns and cities of the State to levy taxes for that purpose.

Gentlemen of the two Houses: We are just entering upon a war, the exact result of which no man can foresee. The sudden and splendid outburst of popular enthusiasm which has illumined its commencement will shortly, in a great measure, disappear, and must be replaced by calm determination and resolute vigor. There will be calamities and disasters which have not been looked for. He who went forth joyously singing the national anthem, will sometime be brought back in a bloody shroud. The national resources will be rapidly consumed, business will suffer and ordinary avocations be sadly broken up. This is to be no six week's campaign. I do not under-estimate the gallantry of Southern men, and they will find it a grave error that they have under-estimated ours. The sectional pride and bitter remembrance of previous taunts, which enter into this contest will make its battles fierce and bloody. We are all sprung from a race in which cowardice is almost unknown. Although we have been mainly at peace for thirty-five years past, yet ours is naturally a martial people. It will, therefore, be wise for us to proceed very calmly and deliberately to our

preparations to meet a very great occasion. Mere outbursts of patriotic fervor will not avail. Now, that we have entered upon the war, we must patriotically accept its inevitable conditions. To whatever of calamity and disaster it may bring us, we must cheerfully submit; and whatever of self-sacrifice it may require, must be cheerfully borne. The war is just and righteous, because it is waged in behalf of the laws and the constituted authorities of our country; a country which has never, in the smallest particular, oppressed those who are in arms against it. It is our plain duty, therefore, to support and uphold, to the utmost of our ability, the National Administration at Washington. It is for the time being the *government*, and necessarily has entire charge of the conduct of hostilities. That they will be wisely conducted for the common interest and glory of the nation, we may safely believe. All captiousness of fault-finding should be discouraged. It is not possible for all to know at once the reasons for every act or even the act itself. Results are the only true tests of administration and for these we must patiently wait. Time is essential to create great armies and to conquer States, as it is to accomplish any other grand result.

It is only two months since Abraham Lincoln was inaugurated President of the United States, and during that time events have been so precipitated upon each other that it has seemed well nigh impossible to avoid some confusion. And yet, I do believe there is not much to complain of, and abundance to approve.

The power of the National Government begins to show itself unmistakably, and I take it for granted, that the time has now arrived when that government means to take the offensive and will follow the traitors to their strong holds and severely punish them. It cannot longer confine itself to mere defence of the national domain and property—it must strike treason wherever it is to be found—all the delusive pretences of the rebels about coercion and the invasion of States must be thrown to the winds, and the full right of the troops of the Federal Government to



march at pleasure over every inch of the territory of the United States must be put beyond question. There can be no neutrals in this contest. That State which refuses to aid on the lawful call of the President is as much guilty of treason as the one which, like South Carolina, makes actual war upon the Federal armies and must be treated in the same manner.

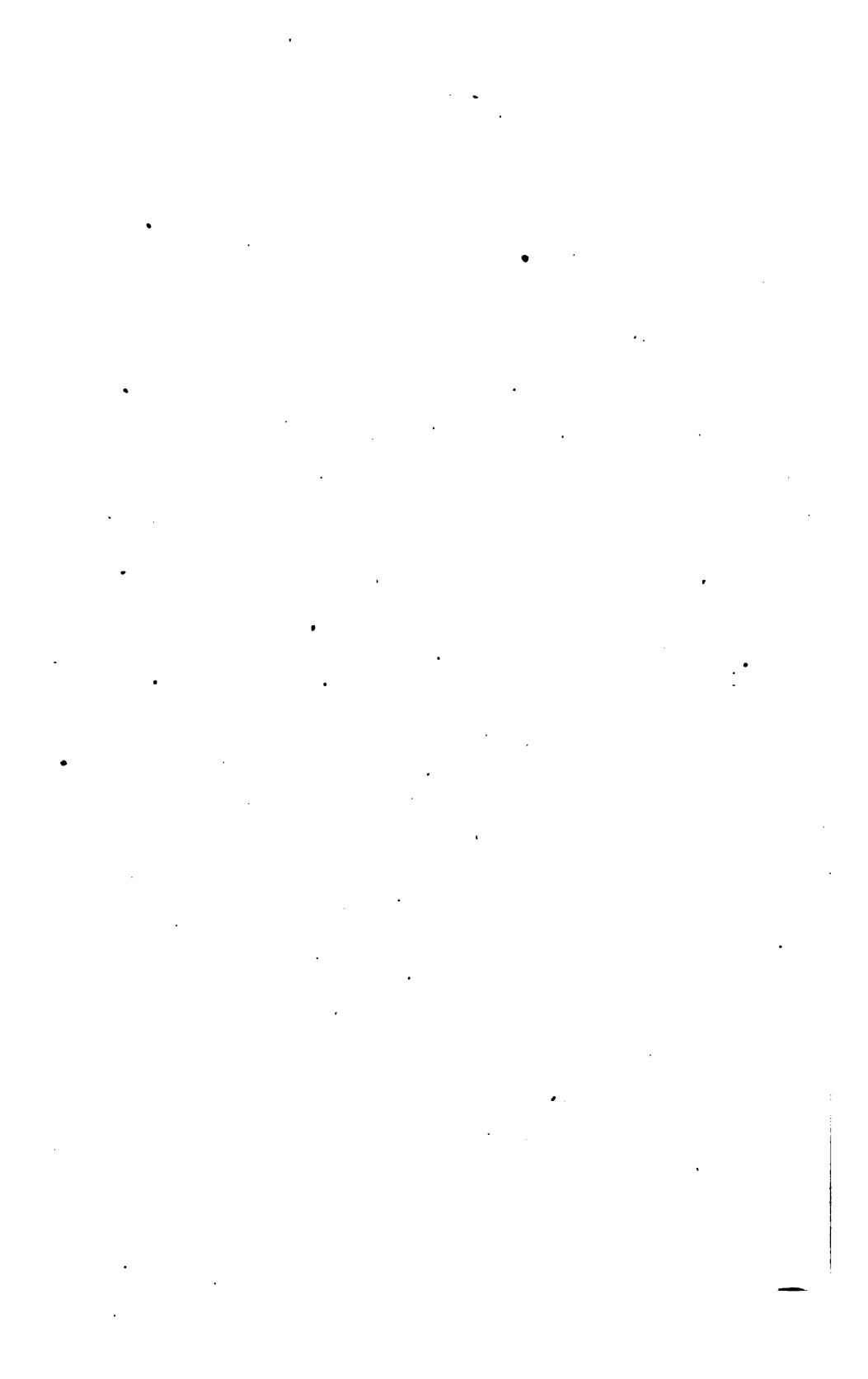
To aid in the accomplishment this great task, let us put Michigan in a situation to be able promptly and vigorously to answer any call the President may make upon us ; and in doing this we must remember that one trained soldier is worth more than two untrained ones. To second the National Administration is our whole province ; and to do it effectually must be our great endeavor. And while I do not expect the grand result immediately, nor that it will be attained without great sacrifices, yet I cannot doubt the final issue. It cannot be that this wicked rebellion will succeed. Utterly without cause, based upon unchastened ambition and lust of power alone, it can have neither the sympathies of mankind nor the favor of God. In point of material power the odds are very greatly with the Government ; and these must finally prevail in a just cause, which enlists in its behalf the enthusiasm of all loyal citizens, and the sympathies of the just and good everywhere. I look confidently, then, to see the complete triumph of the Constitution and Government of the United States in this great contest, and the final and firm establishment in the country of the doctrines of the Declaration of Independence. They who have taken the sword will perish by the sword, and this war, inaugurated to establish slave-holding despotism forever on this continent, will result in its total and speedy destruction.

Our free and ever to be revered form of government, tried in this fierce furnace of revolution, will prove itself equal to every occasion. It will be doubly strengthened and secured in the hearts of our own people, while its power and respectability abroad will be immensely enhanced. The fame of Washington and his compatriots will glow with a brighter lustre, and the

hopes of men everywhere will be cheered and strengthened. Liberty, the great aim of mankind, will, in the triumph of the Great Republic, secure a home upon earth forever.

That God, by His mighty power, will overrule all to this great end, let us devoutly trust.

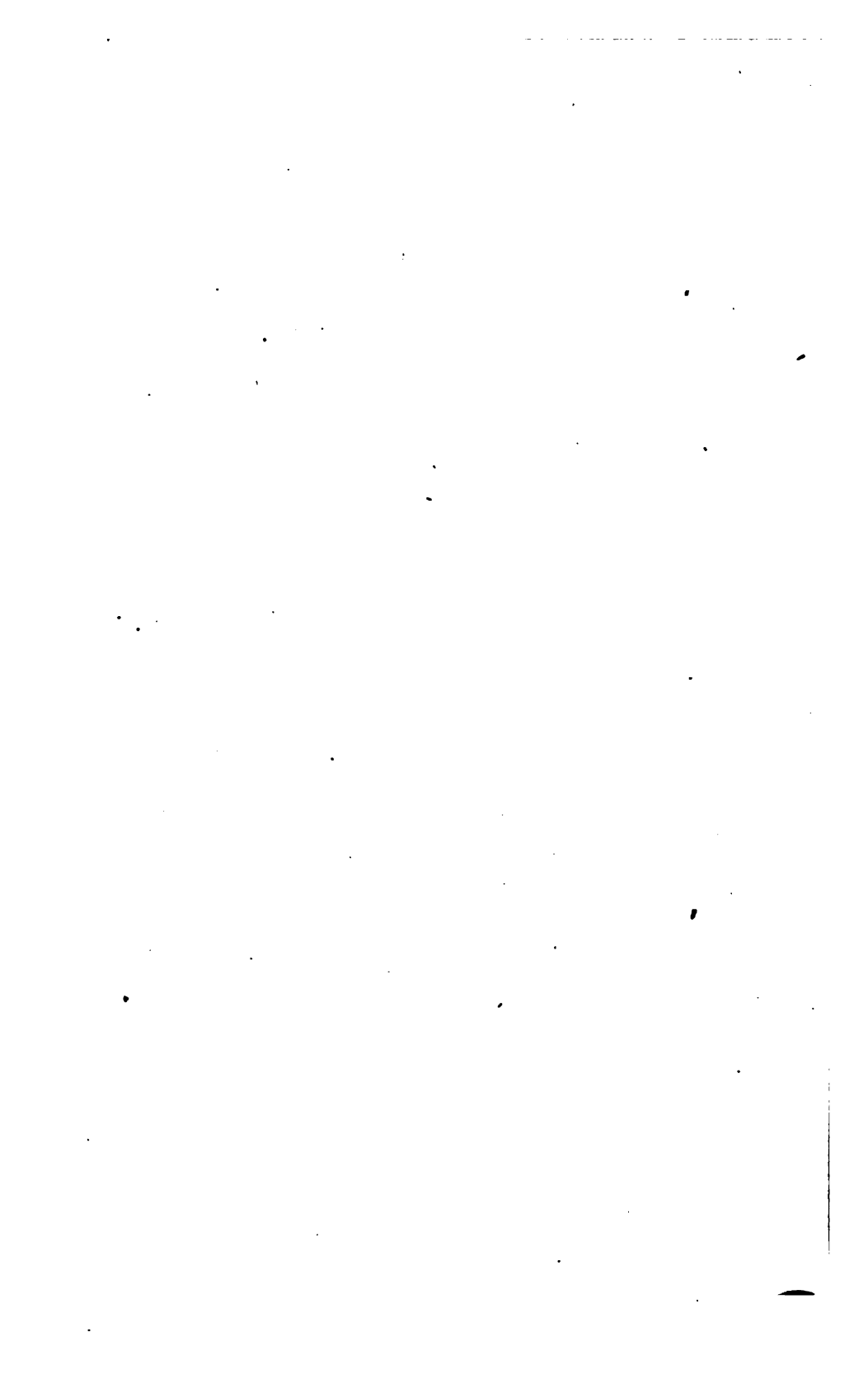
AUSTIN BLAIR.

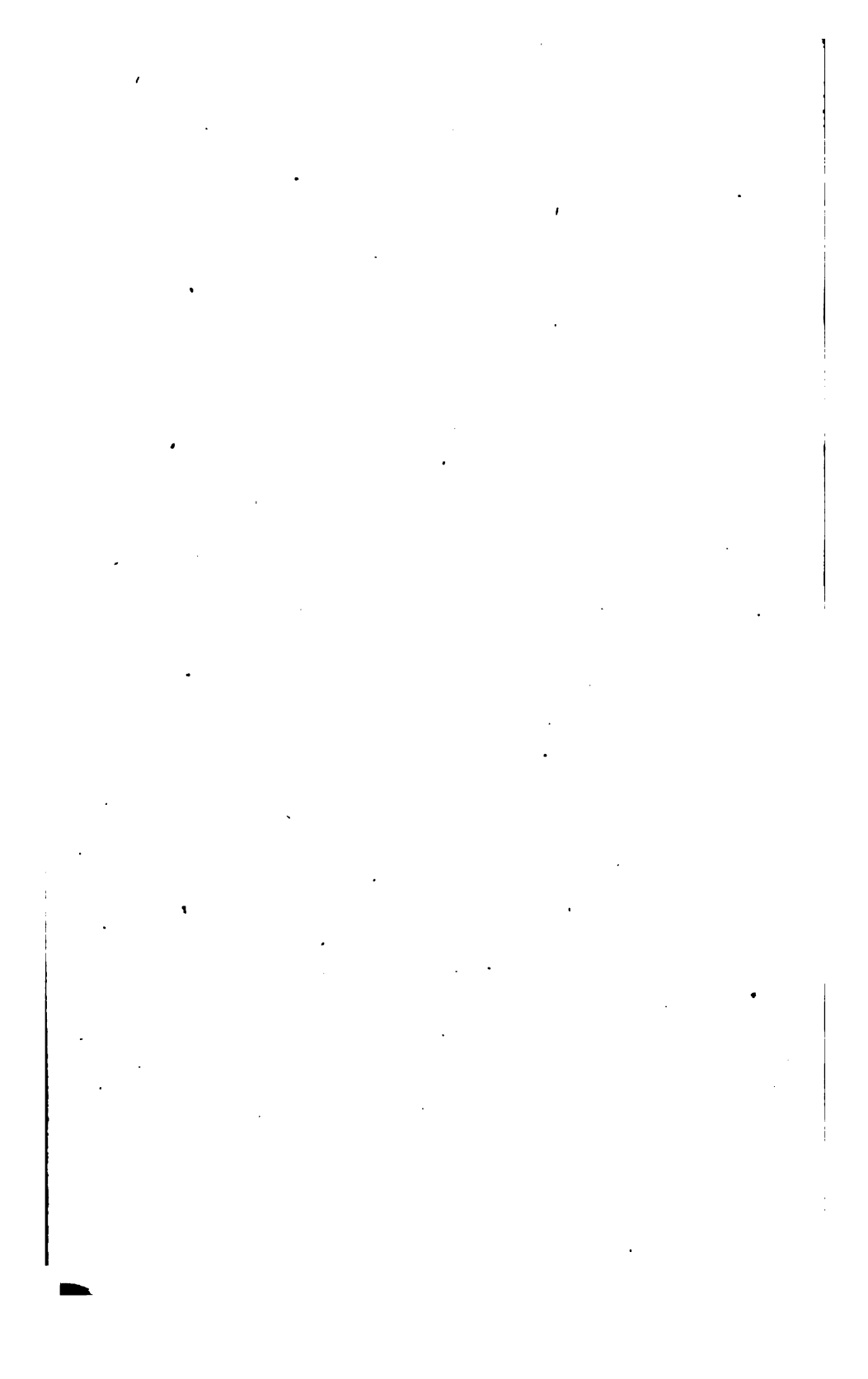














JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES  
OF THE  
STATE OF MICHIGAN.

EXTRA SESSION OF 1861.

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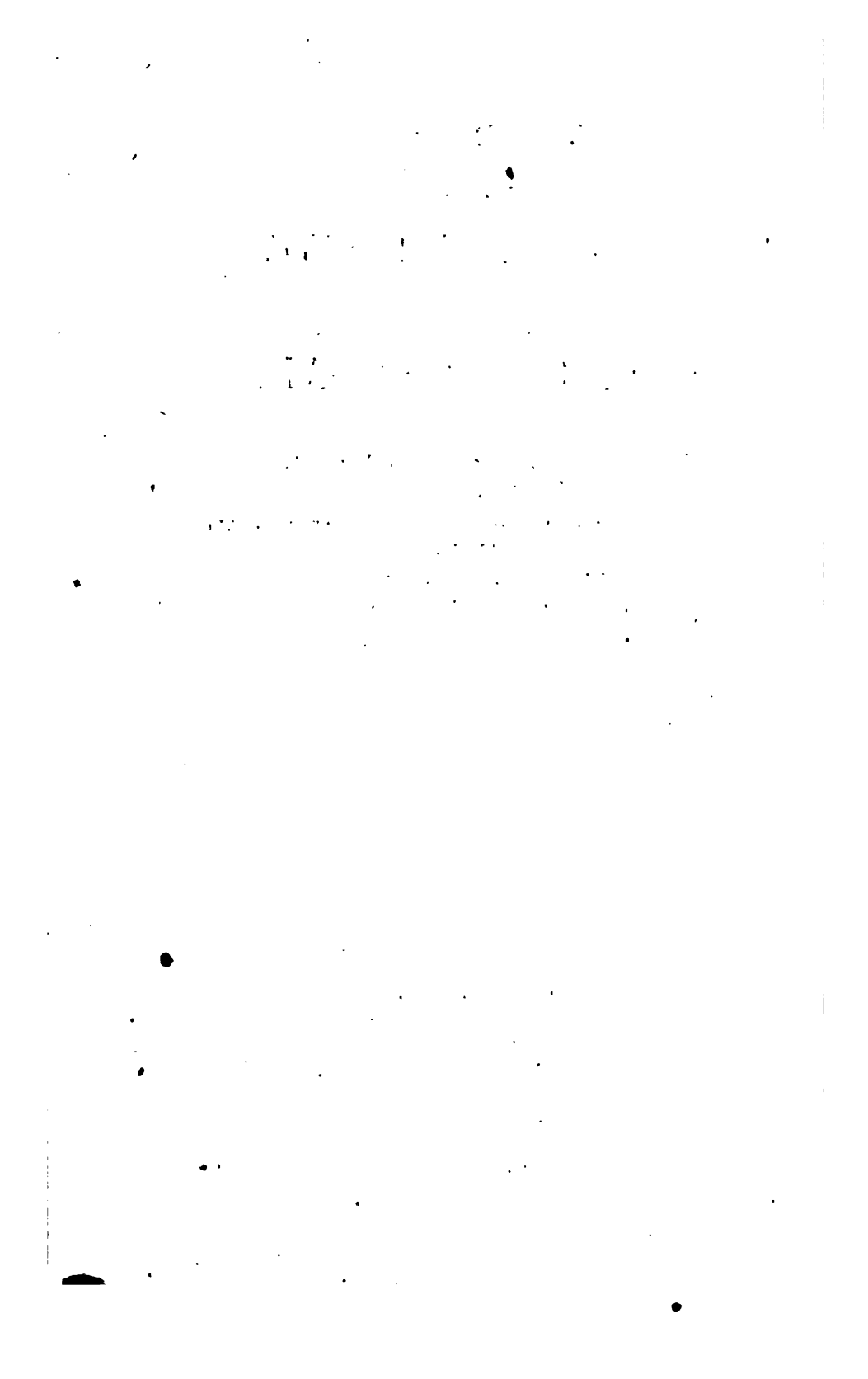
EDWARD W. BARBER,  
CLERK OF THE HOUSE.



*By Authority.*

LANSING:  
John A. Kerr & Co., Printers to the State

—•••••—  
1861.



# HOUSE JOURNAL,

EXTRA SESSION, 1861.

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*Lansing, Tuesday, May 7, 1861.*

Pursuant to proclamation of his Excellency, the Governor of the State of Michigan, the Representatives assembled in their Hall, in the Capitol, in the City of Lansing.

At twelve o'clock, noon, the Speaker, Hon. DEXTER MUSSEY, called the House to order.

Prayer by Rev. Mr. Meyer.

The roll was called by the Clerk, and the following members answered to their names :

Messrs. Adams, Alexander, Atwood, Baker, Beamer, Blakeslee, Brownell, Chase, Childs, Choate, Chapoton, Cook, Cox, Crego, Cutcheon, A. W. Davis, C. Davis, Ira Davis, Douglas, Fallass, Follett, Foote, Fowle, Gilbert, Goodrich, Gregory, A. L. Green, N. K. Green, Hadley, Henderson, Hemingway, Hodges, Howell, Hurd, Jones, Joy, Kanouse, Kelsey, Leetch, Lockwood, Morrison, Moore, Persons, Peters, Phelps, Piper, Pringle, Ramsdell, Rankin, Sessions, Shank, Shanahan, Stewart, Stoddard, Strong, Taylor, Tibbits, Wade, Warner, T. M. Wilson, Winans, Woodman, Woodward, Speaker—64.

A quorum of the members were present.

The Speaker then addressed the House as follows :

*Gentlemen of the House of Representatives:*

When we last adjourned it was perhaps as far from your minds as from mine, that we should meet again in a Legislative capacity. But since that time the condition of our country has changed. At the present time there exists civil war, and a portion of the States of this confederacy are in open rebellion

against our National Government. Great as are the evils of civil war, which is the direst of all wars, yet there are evils more to be dreaded. The loss of that civil and religious liberty purchased by the blood of our fathers is among the latter class.

The President of the United States has made a requisition upon the Executive of this State for a portion of our military force to aid in averting these evils. To enable the Governor to respond to this demand, and vindicate the honor, and show the loyalty of the State of Michigan, it is necessary that provisions of law be made for the furnishing of men and means.

It has been gratifying to all of us to notice with what promptness and patriotism this State has, on former occasions, responded to the demands of our nation. We, the representatives of the people, are now called upon to make such provision by law as the emergency of the case may demand, that the Constitution of the United States may be protected, and the honor of our glorious flag defended.

By your permission I appear as your presiding officer, trusting and believing I shall receive the same kind forbearance and generous support that I have on former occasions.

Without detaining you longer, I enter upon the duties of my office.

The proclamation of the Governor was then read.

On motion of Mr. Childs,

The proclamation was ordered printed in the journal.

The following is the

#### PROCLAMATION:

*Whereas*, The States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, Texas, and Virginia, unmindful of the obligations of patriotism and duty, have without cause, rebelled against the just and lawful authorities of the United States; and by combinations too powerful to be suppressed by the exercise of the civil power, have violently seized and destroyed the public property, and have levied fratricidal war against the Constitution, Government, and people of the Republic;

*And whereas*, The President of the United States, in pursuance of his Constitutional duty and for the purpose of suppressing such unlawful combinations and insurrection, has made a requisition upon me for a portion of the Militia of this State, for the furnishing of which adequate provision is not made by law;

Now, therefore, in this extraordinary emergency, in order that the whole military power of the State may be made available, and sufficient means furnished for arming and equipping the forces, to be used in defense of the Constitutional rights and liberties of the people, and in the preservation of the Government of the United States from destruction, and that the insulted majesty of the Nation may be fully vindicated,

I, Austin Blair, Governor of the State of Michigan, by virtue of the power in me vested by the Constitution, do hereby convene the Legislature of this State, in extra session; requiring the Senators and Representatives to assemble in their respective chambers, at the Capitol, in the city of Lansing, on Tuesday, the seventh day of May next, at twelve o'clock, noon, then and there to consider of the matters aforesaid, and to adopt such measures as the safety, dignity and honor of the country and the State demands.

In testimony whereof, I have hereunto set my  
[L. s.] hand, and caused to be affixed the great seal of the State.

Done at Lansing, this twenty-third day of April, in the year of our Lord one thousand eight hundred and sixty-one, and of the independence of the United States the eighty-fifth.

By the Governor,

AUSTIN BLAIR.

JAMES B. PORTER, *Secretary of State.*

The assistant Sergeant-at-Arms announced a committee from the Senate, who informed the House that the Senate was organized and ready to proceed to business.

Mr. Phelps moved that a committee of two be appointed, to

wait upon the Senate and inform that body that the House is now organized, and ready to proceed to business.

Which motion prevailed.

The Speaker appointed Messrs. Phelps and Gregory as such committee.

MESSAGE FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,  
Lansing, May 7, 1861. }

*To the Speaker of the House of Representatives :*

SIR:—I am directed to inform the House that Senators DeLand and Near have been appointed a committee on the part of the Senate, to act with a like committee on the part of the House, to visit the Governor, and inform him that the two Houses are now organized, and ready to receive any communication he may desire to make.

Very respectfully,  
A. B. TURNER,  
*Secretary of the Senate.*

Mr. Howell moved that a like committee of two, on the part of the House, be appointed;

Which motion prevailed.

The Speaker appointed Messrs. Howell and Brownell as such committee.

The committee appointed to wait on the Senate and inform that body that the House is organized and ready to proceed to business, reported that they had performed the duty assigned them.

The Assistant Sergeant-at-Arms announced a committee from the Senate, who informed the House that they were appointed to act with a like committee on the part of the House, to wait upon His Excellency, the Governor, and inform him that the two Houses were now organized and ready to receive any communication he may desire to make.

Mr. Sessions offered the following:

*Resolved*, That the daily sessions of this House commence at 9 o'clock A. M. and at 2 o'clock P. M., until otherwise ordered;  
Which was adopted.

The committee on the part of the House appointed to join a like committee on the part of the Senate, to wait upon the Governor and inform him that the two Houses have convened, and a quorum being present, were ready to receive any communication he may be pleased to make, reported that they had discharged that duty, and that the Governor would deliver his message in person to the two Houses, in joint convention, at 2 o'clock this afternoon.

On motion of Mr. A. W. Davis,

The House adjourned until this afternoon at 2 o'clock.

—  
AFTERNOON SESSION.

2 o'clock P. M.

The House met pursuant to adjournment and was called to order by the Speaker.

Roll called : quorum present.

MESSAGE FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,  
Lansing, May 7, 1861. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to transmit to the House the following concurrent resolution :

*Resolved*, (the House concurring,) That the two Houses of the Legislature meet in joint convention, to receive the message of the Governor, at 2 o'clock P. M. of this day;

In which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

On motion of Mr. Howell,

The House concurred in the adoption of the resolution.

Mr. Pringle offered the following:

*Resolved*, That a committee of two be appointed to inform the Senate that this House is now in session, and ready to meet that body in Joint Convention;

Which was adopted.

The Speaker appointed Messrs. Pringle and Atwood as such committee.

Mr. Baker offered the following:

*Resolved*, That the use of the Hall, this evening, be tendered to Rev. Mr. Errit, to deliver an address upon the state of the Union;

Which was adopted.

The committee appointed to wait upon the Senate and inform that body that the House is ready to receive them in Joint Convention, reported that they had discharged the duty assigned them.

The Assistant Sergeant-at-Arms announced the honorable Senators, who were conducted to seats.

#### PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by Honorable Joseph R. Williams, acting Lieutenant Governor and President of the Senate.

The roll of the Senate was called by the Secretary thereof, and a quorum of the Senators were present.

The roll of the House was called by the Clerk thereof, and a quorum of the Representatives were present.

The President of the Senate announced that the two Houses had assembled in joint convention to receive the message of His Excellency, Governor Blair, who would deliver it in person.

Representative Howell moved that a committee of two, consisting of one member of the Senate and one of the House, be appointed to wait upon the Governor and inform him that the two Houses had met in joint convention, and were ready to receive any communication he may desire to make.

The motion was agreed to.

Senator Backus and Representative Howell were appointed said committee.



After a short absence the committee reported that they had discharged the duty assigned them, and announced His Excellency, Governor Blair, in attendance.

The Governor then read to the joint convention his message.

After which,

On motion of Senator Ingersoll,

The joint convention adjourned, *sine die*.

A. B. TURNER,

*Secretary of the Senate,*

ED. W. BARBER,

*Clerk of the House of Representatives,*

*and Secretaries of the Joint Convention.*

The Senate retired, and the House was called to order by the Speaker.

Roll called: quorum present.

The Speaker announced that the two Houses, assembled in joint convention, had received a message from his Excellency, Governor Blair.

On motion of Mr. Sessions,

The message of the Governor was laid on the table and ordered printed in the journal.

The following is the message:

*Fellow-Citizens of the Senate and House of Representatives:*

Under the authority vested in the Executive by the Constitution of the State, I have summoned you together in extra session upon the most extraordinary occasion which has had existence since the formation of the Federal Government.

African slavery, the great and only disturbing element in our institutions, after having ruled the country for sixty years, and during that time driven the free States from one humiliating concession to another, until they had fairly reached the wall, and from the mere instinct of self-preservation refused to go further, has dropped the mask and taken up arms. Grown overbearing from its former successes, and insolent through its long cherished pride and disregard of the rights of men, it now seeks to make its power predominant over the whole country by force.

Report accepted and committee discharged.

On motion of Mr. Pringle,

The House concurred in the amendments made to the bill in gross.

Mr. Sessions moved to amend the bill by adding thereto the following, to stand as sections ten and eleven :

Sec. 10. In case the Governor, State Treasurer and Auditor General shall, at any time after all the bonds hereinbefore authorized to be issued, shall have been disposed of, and before another session of the Legislature of this State, deem it necessary or expedient to provide for an addition to the war fund created by this act, to be used for the same purposes, they shall have the power, upon filing a declaration of their determination so to do, with their reasons therefor, signed by them, in the office of the Secretary of State, and publishing a copy thereof, for one week in a daily and weekly newspaper published in the city of Detroit, to contract for a further loan or loans, to such further amount as they may deem advisable, for the purposes aforesaid, not exceeding one million dollars in addition, and in like manner to cause to be issued the bonds of this State therefor, with coupons annexed for the interest thereon, at the same rate, and executed in all respects as provided in the second section of this act, and to be negotiable in like manner, but redeemable at thirty years from the first day of January, 1862, or at the pleasure of the State.

Sec. 11. All moneys arising from the sale of the last mentioned bonds shall be in like manner paid into the treasury of the State, to the credit of the war fund, and be drawn therefrom for the like purposes only, and in the same manner as provided in the preceding sections in this act.

Mr. Sessions demanded the yeas and nays, on the adoption of the amendment.

The demand was seconded, and the amendment was not adopted, by yeas and nays, as follows :

## YEAS.

|             |            |               |
|-------------|------------|---------------|
| Mr. Childs, | Mr. Fowle, | Mr. Sessions, |
| Cook,       | Henderson, | Stewart,      |
| C. Davis,   | Hill,      | Wallin,       |
| Fallass,    | Howell,    | Waterbury,    |
| Follett,    | Morrison,  | Woodman,      |
| Foote,      |            |               |

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## NAYS.

|              |                  |                |
|--------------|------------------|----------------|
| Mr. Adams,   | Mr. N. K. Green, | Mr. Rankin,    |
| Alexander,   | Hadley,          | Read,          |
| Atwood,      | Haire,           | Shank,         |
| Baker,       | Hemingway,       | Shanahan,      |
| Beamer,      | Hodges,          | Smith,         |
| Blakealee,   | Hood,            | W. N. Stevens, |
| Brownell,    | Hurd,            | A. Stevens,    |
| Bunce,       | Jones,           | Stoddard,      |
| Chase,       | Joy,             | Strong,        |
| Choate,      | Kanouse,         | Taylor,        |
| Chapoton,    | Kelsey,          | Tibbits,       |
| Cooley,      | Leetch,          | Toll,          |
| Cox,         | Lockwood,        | Wade,          |
| Crego,       | Miller,          | Warner,        |
| Cutcheon,    | Moore,           | Wetherby,      |
| A. W. Davis, | Persons,         | Wheeler,       |
| Ira Davis,   | Peters,          | T. M. Wilson,  |
| Douglas,     | Phelps,          | J. B. Wilson,  |
| Gilbert,     | Piper,           | Winans,        |
| Goodrich,    | Pratt,           | Woodward,      |
| Gregory,     | Pringle,         | Wright,        |
| A. L. Green, | Ramsdell,        | Speaker,       |

66

On motion of Mr. A. W. Davis,

The rules were suspended, and the bill put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|            |                  |                |
|------------|------------------|----------------|
| Mr. Adams, | Mr. A. L. Green, | Mr. Rankin,    |
| Alexander, | N. K. Green,     | Read,          |
| Atwood,    | Hadley,          | Sessions,      |
| Baker,     | Haire,           | Shank,         |
| Beamer,    | Henderson,       | Shanahan,      |
| Blakealee, | Hemingway,       | Smith,         |
| Brownell,  | Hill,            | W. N. Stevens, |

|              |           |               |
|--------------|-----------|---------------|
| Bunce,       | Hodges,   | A. Stevens,   |
| Ohase,       | Hood,     | Stewart,      |
| Childs,      | Howell,   | Stoddard,     |
| Choate,      | Hurd,     | Strong,       |
| Chapoton,    | Jonea,    | Taylor,       |
| Cook,        | Joy,      | Tibbits,      |
| Cooley,      | Kanouse,  | Toll,         |
| Cox,         | Kelsey,   | Wade,         |
| Orego,       | Leetch,   | Wallin,       |
| Outcheon,    | Lockwood, | Warner,       |
| A. W. Davis, | Miller,   | Waterbury,    |
| C. Davis,    | Morrison, | Wetherby,     |
| Ira Davis,   | Moore,    | Wheeler,      |
| Douglas,     | Persons,  | T. M. Wilson, |
| Fallass,     | Peters,   | J. B. Wilson, |
| Follett,     | Phelps,   | Winans,       |
| Foote,       | Piper,    | Woodman,      |
| Fowle,       | Pratt,    | Woodward,     |
| Gilbert,     | Pringle,  | Wright,       |
| Goodrich,    | Ramsdell, | Speaker,      |
| Gregory,     |           |               |

22

NAYS.

0

Title agreed to.

On motion of Mr. Shank,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

On motion of Mr. Joy,

The committee of the whole was discharged from the further consideration of House bill No. 1, entitled

A bill to provide a tax for the interest on the war loan.

On motion of Mr. Hill,

The rules were suspended and the bill put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

|            |                  |             |
|------------|------------------|-------------|
| Mr. Adams, | Mr. A. L. Green, | Mr. Rankin, |
| Alexander, | N. K. Green,     | Read,       |
| Atwood,    | Hadley,          | Sessions,   |
| Baker,     | Haire,           | Shank,      |
| Beamer,    | Henderson,       | Shanahan,   |

|              |            |                |
|--------------|------------|----------------|
| Blakeslee,   | Hemingway, | Smith,         |
| Brownell,    | Hill,      | W. N. Stevens, |
| Bunce,       | Hodges,    | A. Stevens,    |
| Chase,       | Hood,      | Stewart,       |
| Childs,      | Howell,    | Stoddard,      |
| Choate,      | Hurd,      | Strong,        |
| Chapoton,    | Jones,     | Taylor,        |
| Cook,        | Joy,       | Tibbits,       |
| Cooley,      | Kanouse,   | Toll,          |
| Cox,         | Kelsey,    | Wade,          |
| Crego,       | Leetch,    | Wallin,        |
| Cutcheon,    | Lockwood,  | Warner,        |
| A. W. Davis, | Miller,    | Waterbury,     |
| C. Davis,    | Morrison,  | Wetherby,      |
| Ira Davis,   | Moore,     | Wheeler,       |
| Douglass,    | Persons,   | T. M. Wilson,  |
| Fallase,     | Peters,    | J. B. Wilson,  |
| Fellett,     | Phelps,    | Winans,        |
| Foote,       | Piper,     | Woodman,       |
| Fowle,       | Pratt,     | Woodward,      |
| Gilbert,     | Pringle,   | Wright,        |
| Goodrich,    | Ramsdell,  | Speaker,       |
| Gregory,     |            |                |

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0

NAYS.

Title agreed to.

On motion of Mr. Childs,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

On motion of Mr. Pringle,

The committee of the whole was discharged from the further consideration of House bill No. 5, entitled

A bill to provide for the relief, by counties, of the families of volunteers mustered from this State into the service of the United States.

On motion of Mr. Morrison,

The bill was considered as in committee of the whole.

Mr. Pringle moved to amend the bill by inserting the words "out of any moneys," after the word "or," in the ninth line of section two;

Which was adopted.

Mr. Tibbits moved to strike out the word "ten," in the eighth line of section two, and insert "fifteen;"

Which was adopted.

Mr. Wallin moved to strike out the word "temporary," in the sixth line of section 2;

Which was withdrawn.

Mr. Howell moved to strike out the words "it shall be the duty of," in line 1, of section 1, and insert the words "are hereby authorized," after the word "necessary," in line 3 ;

Which was not adopted.

Mr. Gilbert moved to insert after the word "States," in line 5, of section 1, the words "or of this State ;"

Which was adopted.

Mr. Pringle moved to add the following at the end of section 2 : "in case of the death, while in the service of the United States, or of this State, of any such commissioned or non-commissioned officer, musician or private, his family shall be entitled, for one year after his decease, to the same measure of relief herein provided for ;"

Which was adopted.

On motion of Mr. Morrison,

The rules were suspended, and the bill put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

|            |                  |                |
|------------|------------------|----------------|
| Mr. Adams, | Mr. A. L. Green, | Mr. Rankin,    |
| Alexander, | N. K. Green,     | Read,          |
| Atwood,    | Hadley,          | Sessions,      |
| Baker,     | Haire,           | Shank,         |
| Beamer,    | Henderson,       | Shanahan,      |
| Blakeslee, | Hemingway,       | Smith,         |
| Brownell,  | Hill,            | W. N. Stevens, |
| Bunce,     | Hodges,          | A. Stevens,    |
| Chase,     | Hood,            | Stewart,       |
| Childs,    | Howell,          | Stoddard,      |
| Choate,    | Hurd,            | Strong,        |
| Chapoton,  | Jones,           | Taylor,        |

|              |           |               |
|--------------|-----------|---------------|
| Cook,        | Joy,      | Tibbits,      |
| Coolcy,      | Kanouse,  | Toll,         |
| Cox,         | Kelsey,   | Wade,         |
| Crego,       | Leetch,   | Wallin,       |
| Cutcheon,    | Lockwood, | Warner,       |
| A. W. Davis, | Miller,   | Waterbury,    |
| C. Davis,    | Morrison, | Wetherby,     |
| Ira Davis,   | Moore,    | Wheeler,      |
| Douglass,    | Persons,  | T. M. Wilson, |
| Fallass,     | Peters,   | J. B. Wilson, |
| Follett,     | Phelps,   | Winans,       |
| Foote,       | Piper,    | Woodman,      |
| Fowle,       | Pratt,    | Woodward,     |
| Gilbert,     | Pringle,  | Wright,       |
| Goodrich,    | Ramsdell, | Speaker,      |
| Gregory,     |           |               |

82

## NAYS.

0

The question being upon agreeing to the title,

Mr. Howell moved to add thereto the words, "or of this State;"

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Pringle,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Childs,

The House adjourned until this afternoon at 2 o'clock.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met pursuant to adjournment and was called to order by the Speaker.

Roll called : quorum present.

## MESSAGE FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER,  
Lansing, May 9, 1861. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit the following entitled bill:

A bill to provide for the relief and support of the families and those dependent on the volunteers enlisted in the service of the State and of the United States, for the suppression of the present insurrection and rebellion against the government of the United States;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and

On motion of Mr. Howell,

The bill was referred to the committee on ways and means.

Also the following :

SENATE CHAMBER,  
Lansing, May 9, 1861. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following entitled bill :

A bill to amend an act entitled "an act to provide a military force," approved March 16, 1861, and to add several sections thereto ;

Which the Senate has amended as follows:

In section 6, strike out "and," between "18" and "19," and add after "19," "20 and 21."

In section 8, strike out the words "I" and "me," wherever they occur, and insert "you," in lieu thereof.

In section 13, strike out "his," in line 2, and insert "the;" strike out "their," in line 5, and insert "his;" strike out "captain," in line 6, and insert "first lieutenant."

In section 14, strike out "the," before "keeping," in line 3.

In section 16, insert "of," at the end of line 1.

Also, at the end of section 16, insert the following: "and their accounts shall be kept and made out in the same manner,



as near as may be, as is required by the system and regulations governing the quartermaster general's department, in the army of the United States, and rendered monthly to the Auditor General."

In section 19, line 2, strike out "this," before "State," where it last occurs, and insert "United;" also add the letter "s" to the word "State."

Add the following:

Sec. 20. In addition to the 100 companies otherwise provided for by this act, the Governor is authorized and empowered, in his discretion, to organize a company of engineers, or sappers and miners, to consist of not over one hundred men, with one captain, one first and two second lieutenants, and to muster the same into the service of the State in the manner provided for in this act.

Sec. 21. Section six of said act shall stand as section twenty-one, and read as follows:

Sec. 21. The Governor is hereby empowered, through the proper military department, to purchase and distribute all necessary military stores, whether of subsistence, clothing, pay, medicine, field and camp equipage, arms, munitions, and equipments, which shall be properly accounted for to the Legislature, and at the disbanding of said force he shall store the property of the State, in as good condition as practicable, at the seat of Government, or at such other place as he may deem best. Such reports shall account for all moneys received and disbursed, description and cost of all articles purchased. He shall have power, through the proper military departments, to collect and distribute all arms and equipments, or any of the military property of this State, whether in the hands of volunteers companies or otherwise.

Sec. 22. Section seven of said act shall stand as section twenty-two, and is hereby amended so as to read as follows:

Sec. 22. All acts and parts of acts contravening the provisions of this act, are hereby repealed; but nothing in this

act shall be construed to affect anything which has been done under the act to which this act is amendatory, or any rights which have accrued thereunder;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate..*

On motion of Mr. Cutcheon,

The House resolved itself into committee of the whole in consideration of the amendments made by the Senate to House bill No. 3, entitled

A bill to amend an act entitled an act to provide a military force, approved March 16, 1861, and to add several sections thereto;

Mr. Gilbert in the Chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration certain amendments made by the Senate to House bill No. 3, entitled

A bill to amend an act entitled an act to provide a military force, approved March 16, 1861, and to add several sections thereto,

And have directed me to report the same back to the House, asking concurrence in all of said amendments except to the amendment made to section 8, and the last amendment made to sec. 13; and also, to ask the concurrence of the House in the following amendments made by the committee to the amendments of the Senate: Strike out the word "and" before "21," in the amendment proposed to section 6, and add the word and figures "and 22," after "21;" also, add the following to section 20: "Provided, The Governor shall be informed by the war department of the United States that the said company will be ac.

cepted and mustered into the service of the United States;" and the committee ask to be discharged from the further consideration of the same.

THOS. D. GILBERT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Cutcheon,

The House concurred in the amendments to the amendments made to the bill by the Senate, by the committee.

Mr. Childs moved that the House concur in the amendments made to the bill by the Senate, as amended, with the exception of the amendment made to section 8, and the last amendment made to section 13 ;

Which motion prevailed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

|            |                  |               |
|------------|------------------|---------------|
| Mr. Adams, | Mr. A. L. Green, | Mr. Read,     |
| Alexander, | N. K. Green,     | Sessions,     |
| Atwood,    | Hadley,          | Shank,        |
| Baker,     | Haire,           | Shanahan,     |
| Beamer,    | Henderson,       | Smith,        |
| Blakeslee, | Hemingway,       | W N. Stevens, |
| Brownell,  | Hill,            | A. Stevens,   |
| Bunce,     | Hodges,          | Stewart,      |
| Chase,     | Hood,            | Stoddard,     |
| Childs,    | Howell,          | Strong,       |
| Choate,    | Hurd,            | Taylor,       |
| Chapoton,  | Joy,             | Tibbits,      |
| Cook,      | Kanouse,         | Toll,         |
| Cooley,    | Kelsey,          | Wade,         |
| Cox,       | Lockwood,        | Wallin,       |
| Crego,     | Miller,          | Warner,       |
| Cutcheon,  | Morrison,        | Waterbury,    |
| C. Davis,  | Moore,           | Wetherby,     |
| Ira Davis, | Persons,         | Wheeler,      |
| Douglas,   | Peters,          | T. M. Wilson, |
| Fallass,   | Phelps,          | J. B. Wilson, |
| Follett,   | Piper,           | Winans,       |
| Foote,     | Pratt,           | Woodman,      |
| Fowle,     | Pringle,         | Woodward,     |
| Gilbert,   | Ramsdell,        | Wright,       |
| Goodrich,  | Rankin,          | Speaker,      |
| Gregory,   |                  |               |

## NAYS.

Mr. A. W. Davis,

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Mr. Cutcheon moved that the House concur in the amendment made by the Senate to section 8 of the bill ;

Which motion did not prevail, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. A. W. Davis,  
Wallin,

Mr. Warner,

Mr. T. M. Wilson,

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## NAYS.

Mr. Adams,  
Alexander,  
Atwood,  
Baker,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cook,  
Cooley,  
Cox,  
Crego,  
Cutcheon,  
O. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,

Mr. Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Jey,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Phelps,  
Piper,  
Pratt,

Mr. Pringle,  
Ramsdell,  
Rankin,  
Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Waterbury,  
Wetherby,  
Wheeler,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

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Mr. A. W. Davis moved that the House concur in the last amendment made by the Senate to section 13 of the bill ;

Which motion did not prevail, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Blakeslee,  
Choate,Mr. Fowle,  
Leetch,Mr. Stoddard,  
Strong,

Cook,  
Cooley,  
A. W. Davis,

Peters,  
Ramsdell,  
Stewart,

Wheeler,  
J. B. Wilson,  
14.

## NAYS.

Mr. Adams,  
Alexander,  
Atwood,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Chapoton,  
Cox,  
Crego,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,

Mr. N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hill,  
Hedges,  
Hood,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Phelps,  
Piper,  
Pratt,

Mr. Pringle,  
Rankin,  
Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Waterbury,  
Wetherby,  
T. M. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

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## MESSAGE FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,  
*Lansing, May 9, 1861.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following entitled bill :

A bill to provide for the payment of members and officers of the extra session of the legislature for the year 1861 ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and

On motion of Mr. Pringle,

The rules were suspended, and the bill put upon its immediate passage.

Pending the third reading of the bill,

Mr. Howell moved to amend the bill by inserting after the word "route," in line 4, of section 2, the words "and five dollars to each member for stationery for the present extra session."

Mr. Shank demanded the yeas and nays.

The demand was seconded, and the amendment was not adopted, by yeas and nays, as follows :

#### YEAS.

|              |            |             |    |
|--------------|------------|-------------|----|
| Mr. Cooley,  | Mr. Fowle, | Mr. Wallin, |    |
| Oox,         | Hill,      | Woodward,   |    |
| A. W. Davis, | Howell,    | Wright,     |    |
| Douglas,     | Taylor,    |             | 11 |

#### NAYS.

|            |                  |                |
|------------|------------------|----------------|
| Mr. Adams, | Mr. A. L. Green, | Mr. Rankin,    |
| Alexander, | N. K. Green,     | Read,          |
| Atwood,    | Hadley,          | Sessions,      |
| Baker,     | Haire,           | Shank,         |
| Beamer,    | Henderson,       | Shanahan,      |
| Blakeslee, | Hemingway,       | Smith,         |
| Brownell,  | Hodges,          | W. N. Stevens, |
| Bunce,     | Hood,            | A. Stevens,    |
| Chase,     | Hurd,            | Stewart,       |
| Childs,    | Joy,             | Stoddard,      |
| Choate,    | Kanouse,         | Strong,        |
| Chapoton,  | Kelsey,          | Tibbits,       |
| Cook,      | Leetch,          | Toll,          |
| Crego,     | Lockwood,        | Wade,          |
| Cutcheon,  | Miller,          | Warner,        |
| C. Davis,  | Morrison,        | Waterbury,     |
| Ira Davis, | Moore,           | Wheeler,       |
| Fallass,   | Persons,         | T. M. Wilson,  |
| Follett,   | Peters,          | J. B. Wilson,  |
| Foote,     | Phelps,          | Winans,        |
| Gilbert,   | Piper,           | Woodman,       |
| Goodrich,  | Pratt,           | Speaker,       |
| Gregory,   | Pringle,         |                |

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Mr. Howell moved to amend the bill by striking out the word

"three," in the 2d line of section 2, and inserting in lieu thereof the word "two;"

Mr. Howell demanded the yeas and nays.

The demand was seconded.

Mr. Cutcheon called for a division of the question.

The question being upon striking out the word "three," the motion did not prevail, by yeas and nays, as follows:

## YEAS.

|                |              |             |    |
|----------------|--------------|-------------|----|
| Mr. Blakeslee, | Mr. Fallass, | Mr. Strong, |    |
| Brownell,      | Howell,      | Taylor,     |    |
| Cooley,        | Hurd,        | Wade,       |    |
| Cutcheon,      | Ramsdell,    | Winans,     |    |
| A. W. Davis,   | Sessions,    |             | 14 |

## NAYS.

|            |                  |                |    |
|------------|------------------|----------------|----|
| Mr. Adams  | Mr. A. L. Green, | Mr. Pringle,   |    |
| Alexander, | N. K. Green,     | Rankin,        |    |
| Atwood,    | Hadley,          | Read,          |    |
| Baker,     | Haire,           | Shank,         |    |
| Beamer,    | Henderson,       | Shanahan,      |    |
| Bunce,     | Hemingway,       | Smith,         |    |
| Chase,     | Hill,            | W. N. Stevens, |    |
| Childs,    | Hodges,          | Stewart,       |    |
| Choate,    | Hood,            | Stoddard,      |    |
| Chapoton,  | Joy,             | Tibbits,       |    |
| Cook,      | Kanouse,         | Toll,          |    |
| Cox,       | Kelsey,          | Wallin,        |    |
| Crego,     | Leetch,          | Warner,        |    |
| C. Davis,  | Lockwood,        | Wetherby,      |    |
| Ira Davis, | Miller,          | Wheeler,       |    |
| Douglas,   | Morrison,        | T. M. Wilson,  |    |
| Follett,   | Moore,           | J. B. Wilson,  |    |
| Foote,     | Persons,         | Woodman,       |    |
| Fowle,     | Peters,          | Woodward,      |    |
| Gilbert,   | Phelps,          | Wright,        |    |
| Goodrich,  | Piper,           | Speaker,       |    |
| Gregory,   | Pratt,           |                | 65 |

Pending the announcement of the vote,

Mr. Lockwood moved that Mr. Fallass be excused from voting;

Which motion did not prevail.

Mr. Fallass then voted as recorded above.

The bill was then read a third time and passed, a majority of

of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|            |               |                |
|------------|---------------|----------------|
| Mr. Adams, | Mr. Goodrich, | Mr. Pringle,   |
| Alexander, | Gregory,      | Ramsdell,      |
| Atwood,    | A. L. Green,  | Rankin,        |
| Baker,     | N K. Green,   | Read,          |
| Beamer,    | Hadley,       | Sessions,      |
| Blakeslee, | Haire,        | Shank,         |
| Brownell,  | Henderson,    | Smith,         |
| Bunce,     | Hemingway,    | W. N. Stevens, |
| Chase,     | Hill,         | A. Stevens,    |
| Childs,    | Hodges,       | Stewart,       |
| Choate,    | Hood,         | Stoddard,      |
| Chapoton,  | Hurd,         | Strong,        |
| Cook,      | Joy,          | Taylor,        |
| Coeley,    | Kanouse,      | Tibbits,       |
| Cox,       | Kelsey,       | Toll,          |
| Crego,     | Leetch,       | Warner,        |
| Cutcheon,  | Lockwood,     | Waterbury,     |
| C. Davis,  | Miller,       | Wetherby,      |
| Ira Davis, | Morrison,     | Wheeler,       |
| Douglas,   | Moore,        | T. M. Wilson,  |
| Fallass,   | Persons,      | Winans,        |
| Follett,   | Peters,       | Woodman,       |
| Foots,     | Phelps,       | Woodward,      |
| Fowle,     | Piper,        | Wright,        |
| Gilbert,   | Pratt,        | Speaker, 75    |

## NAYS.

|                  |               |                 |
|------------------|---------------|-----------------|
| Mr. A. W. Davis, | Mr. Shanahan, | Mr. Wallin,     |
| Howell,          | Wade,         | J. B. Wilson, 6 |

Title agreed to.

On motion of Mr. Childs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Childs,

The committee of the whole was discharged from the further consideration of House bill No. 4, entitled

A bill to amend chapter 16 of the compiled laws, entitled  
"Of the Militia"

The House proceeded to consider the bill by sections.

Mr. Lockwood moved to strike out the first section of the bill.



Mr. Howell demanded the yeas and nays.

The demand was seconded.

The Speaker called Mr. A. L. Green to the chair.

After discussion,

Mr. Childs demanded the previous question.

The demand was sustained.

The Speaker resumed the chair.

The motion to strike out section one of the bill prevailed, by yeas and nays, as follows :

## YEAS.

|                |                  |                |
|----------------|------------------|----------------|
| Mr. Alexander, | Mr. N. K. Green, | Mr. Pringle,   |
| Baker,         | Hadley,          | Sessions,      |
| Beamer,        | Haire,           | Shank,         |
| Bunce,         | Hemingway,       | Smith,         |
| Chase,         | Hodges,          | W. N. Stevens, |
| Childs,        | Hurd,            | Stoddard,      |
| Choate,        | Joy,             | Strong,        |
| Chapoton,      | Kanouse,         | Tibbits,       |
| Cooley,        | Kelsey,          | Toll,          |
| Cutcheon,      | Lockwood,        | Wade,          |
| Ira Davis,     | Miller,          | Waterbury,     |
| Douglas,       | Morrison,        | Wetherby,      |
| Fallass,       | Moore,           | Winans,        |
| Gilbert,       | Peters,          | Woodward,      |
| Goodrich,      | Phelps,          | Wright,        |
| Gregory,       | Piper,           | Speaker,       |
| A. L. Green,   |                  |                |

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## NAYS.

|              |            |               |
|--------------|------------|---------------|
| Mr. Adams,   | Mr. Fowle, | Mr. Rankin,   |
| Blakeslee,   | Henderson, | Read,         |
| Cook,        | Hill,      | Stewart,      |
| Cox,         | Howell,    | Taylor,       |
| A. W. Davis, | Jones,     | Wallin,       |
| C. Davis,    | Persons,   | Wheeler,      |
| Follett,     | Pratt,     | T. M. Wilson, |
| Foote,       | Ramsdell,  | Woodman,      |

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On motion of Mr. A. W. Davis,

The House adjourned until 7½ o'clock this evening.

## EVENING SESSION.

7½ o'clock P. M.

The House met pursuant to adjournment and was called to order by the Speaker.

Roll called : quorum present.

## REPORTS OF STANDING COMMITTEES.

By unanimous consent, the committee on printing submitted the following report :

The committee on printing, to whom was referred

Joint resolution relative to the printing of the journals, documents and acts of the extra session of the legislature for the year 1861,

Would respectfully report that said joint resolution provides for publishing the journals and documents of the Senate and House, for this extra session, in one volume. Your committee find that the journals of the regular session of the legislature for 1861 are not yet bound, and that the journal of the House, if bound in one volume, will make a book of unwieldy and inconvenient size, and will require a stronger binding than the State contract demands, to give it any durability. By dividing the House journal into two volumes, and binding the journals of the extra session with the Senate and House journals, respectively, of the regular session, there will be no additional cost to the State, and, in the opinion of your committee, the book would be in a better shape for use and reference. They have accordingly instructed me to report an amendment to the joint resolution, providing for that mode of publication, and also an amendment directing the binding of the session laws to be done in the style in which the session laws of 1869 were bound.

All of which is respectfully submitted.

F. H. RANKIN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Ramsdell,

The amendments made to the joint-resolution by the committee were concurred in.

On motion of Mr. A. W. Davis,

The rules were suspended, and the joint resolution put upon its immediate passage.

The joint resolution was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|              |              |                |
|--------------|--------------|----------------|
| Mr. Adams,   | Mr. Gregory, | Mr. Rankin,    |
| Alexander,   | A. L. Green, | Read,          |
| Atwood,      | Henderson,   | Sessions,      |
| Blakeslee,   | Hemingway,   | Smith,         |
| Bunce,       | Hodges,      | W. N. Stevens, |
| Chase,       | Hood,        | A. Stevens,    |
| Childs,      | Howell,      | Stewart,       |
| Choate,      | Hurd,        | Stoddard,      |
| Chapeton,    | Joy,         | Strong,        |
| Cook,        | Kanouse,     | Taylor,        |
| Cooley,      | Kelsey,      | Tibbits,       |
| Cox,         | Leetch,      | Wade,          |
| Crego,       | Lockwood,    | Wallin,        |
| Cutcheon,    | Miller,      | Warner,        |
| A. W. Davis, | Morrison,    | Waterbury,     |
| C. Davis,    | Persons,     | Wetherby,      |
| Ira Davis,   | Peters,      | Wheeler,       |
| Douglas,     | Phelps,      | T. M. Wilson,  |
| Follett,     | Piper,       | J. B. Wilson,  |
| Foote,       | Pratt,       | Woodward,      |
| Fowle,       | Pringle,     | Wright,        |
| Gilbert,     | Ramsdell,    | Speaker,       |
| Goodrich,    |              |                |

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0

## NAYS.

Title and preamble agreed to.

On motion of Mr. Rankin,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

## MESSAGES FROM THE SENATE.

By unanimous consent the Speaker announced the following:

SENATE CHAMBER,  
Lansing, May 9, 1861. }

To the Speaker of the House of Representatives:

SIR:—I am instructed to return to the House the following entitled bill:

A bill to amend an act entitled an act to provide a militia force, approved March 16, 1861, and to add several sections thereto,

And to inform the House that the Senate has receded from its amendments, in which the House has refused to concur, and concurred in the further amendments of the House.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER, }  
Lansing, May 9, 1861. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following entitled bill :

A bill to provide a tax for the interest on the war loan ;

Which the Senate has amended by adding to section 1 the words "if so much shall be required ; if not, the balance shall be and the same is hereby appropriated to the payment, from time to time, of the principal of such loan ;"

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked:

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. A. W. Davis moved that the House concur in the amendments made to the bill by the Senate ;

Mr. Pringle moved to amend the amendment by adding thereto the words, "in the manner provided in an act entitled an act authorizing a war loan, passed at this session of the Legislature ;"

Which was adopted.

The question recurring upon concurring in the amendment of the Senate, as amended, it was concurred in, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|              |               |                |
|--------------|---------------|----------------|
| Mr. Adams,   | Mr. Goodrich, | Mr. Pringle,   |
| Alexander,   | Gregory,      | Ramsdell,      |
| Atwood,      | A. L. Green,  | Rankin,        |
| Blakeslee,   | Hadley,       | Read,          |
| Brownell,    | Haire,        | Sessions,      |
| Bunce,       | Henderson,    | Smith,         |
| Chase,       | Hemingway,    | W. N. Stevens, |
| Childs,      | Hill,         | A. Stevens,    |
| Choate,      | Hodges,       | Stewart,       |
| Chopoton,    | Hood,         | Stoddard,      |
| Cook,        | Hurd,         | Strong,        |
| Cooley,      | Joy,          | Taylor,        |
| Cox,         | Kanouse,      | Tibbits,       |
| Crego,       | Kelsey,       | Wade,          |
| Cutcheon,    | Leetch,       | Wallin,        |
| A. W. Davis, | Lockwood,     | Waterbury,     |
| C Davis,     | Miller,       | Wetherby,      |
| Ira Davis,   | Morrison,     | Wheeler,       |
| Douglas,     | Moore,        | T. M. Wilson,  |
| Fallass,     | Persons,      | J. B. Wilson,  |
| Follett,     | Peters,       | Woodman,       |
| Foots,       | Phelps,       | Woodward,      |
| Fowle,       | Piper,        | Wright,        |
| Gilbert,     | Pratt,        | Speaker,       |

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## NAYS.

0

Also the following:

SENATE CHAMBER, }  
Lansing, May 9, 1861. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the following entitled bill:

A bill authorizing a war loan ;

Which the Senate has amended in the preamble, line two, by inserting the word “and” after the word “government;”

Also, in section 1, line 3, by adding the words “term of” at the end of the line;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to

take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Wallin moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

|              |              |                |
|--------------|--------------|----------------|
| Mr. Adams,   | Mr. Gregory, | Mr. Ramsdell,  |
| Alexander,   | A. L. Green, | Rankin,        |
| Atwood,      | N. K. Green, | Read,          |
| Blakeslee,   | Hadley,      | Sessions,      |
| Brownell,    | Haire,       | Smith,         |
| Bunce,       | Henderson,   | W. N. Stevens, |
| Chase,       | Hemingway,   | A. Stevens,    |
| Childs,      | Hodges,      | Stewart,       |
| Choate,      | Hood,        | Stoddard,      |
| Chapoton,    | Howell,      | Strong,        |
| Cook,        | Hurd,        | Taylor,        |
| Cooley,      | Joy,         | Tibbits,       |
| Cox,         | Kanouse,     | Wade,          |
| Crego,       | Kelsey,      | Wallin,        |
| Cutcheon,    | Leetch,      | Waterbury,     |
| A. W. Davis, | Lockwood,    | Wetherby,      |
| C. Davis,    | Miller,      | Wheeler,       |
| Ira Davis,   | Morrison,    | T. M. Wilson,  |
| Douglas,     | Moore,       | J. B. Wilson,  |
| Fallass,     | Persons,     | Winans,        |
| Follett,     | Peters,      | Woodman,       |
| Foote,       | Phelps,      | Woodward,      |
| Fowle,       | Piper,       | Wright,        |
| Gilbert,     | Pratt,       | Speaker,       |
| Goodrich,    | Pringle,     |                |

NAYS.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Also the following:

SENATE CHAMBER,  
Lansing, May 9, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bill:

A bill relative to the city of Pontiac;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and

On motion of Mr. Pringle,

The bill was referred to the committee on the judiciary.

Also the following :

SENATE CHAMBER,  
Lansing, May 9, 1861. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following entitled bill :

A bill to amend an act entitled an act to amend an act entitled an act to revise the charter of the city of Detroit, approved February 6, 1857 ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and

On motion of Mr. Joy,

The bill was referred to the committee on judiciary.

Also the following :

SENATE CHAMBER,  
Lansing, May 9th, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit the following entitled bill:

A bill to extend the time to locate the 25,000 acres of swamp land donated to the German American Seminary of the city of Detroit,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very Respectfully,

A. B. TURNER,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on public lands.

Also the following:

SENATE CHAMBER,  
Lansing, May 9, 1861. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved,* (the House concurring,) That the Secretary of the Senate and the Clerk of the House of Representatives be and are hereby authorized and requested to compile and prepare for publication, and to make indexes, and superintend the publication of the journals and documents of the present session of the Legislature, and when done, and certified to by the Secretary of State, they shall be entitled to receive, for such service, the sum of fifteen dollars each,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,  
*Secretary of the Senate.*



Mr. Howell moved to amend the resolution by adding thereto the words, "and that five dollars be appropriated to each member of the Legislature for stationery during the present extra session."

Mr. T. M. Wilson offered as a substitute for the amendment, to add the words, "and five dollars to the member from Newaygo, for stationery during the present extra session;"

Which was not adopted.

Mr. Stewart moved to lay the amendment on the table;

Which motion did not prevail.

Mr. Atwood moved to strike out the word "dollars," from the amendment, and insert in lieu thereof the word "cents;"

Which motion did not prevail.

The question being upon the adoption of the amendment,

Mr. Joy demanded the yeas and nays.

The demand was seconded, and the amendment was not adopted, by yeas and nays, as follows:

#### YEAS.

Mr. Chase,  
A. W. Davis,  
Fowle,

Mr. Howell,  
Leetch,

Mr. Taylor,  
Wallin,

#### NAYS.

Mr. Adams,  
Alexander,  
Atwood,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Childs,  
Choate,  
Chapoton,  
Cook,  
Cooley,  
Cox,  
Grego,  
Outcheon,  
C. Davis,  
Ira Davis,  
Douglas,

Mr. A. L. Green,  
N. K. Green,  
Hadley,  
Hairo,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,

Mr. Ramsdell,  
Rankin,  
Read,  
Sessions,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Tibbits,  
Wade,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,

Follett,  
Fallass,  
Foote,  
Gilbert,  
Goodrich,  
Gregory,

Peters,  
Phelps,  
Piper,  
Pratt,  
Pringle,

Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

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Pending the announcement of the vote,

Mr. Childs moved that Mr. Adams be excused from voting;  
Which motion did not prevail.

Mr. Adams then voted as recorded above.

Mr. Cutcheon moved that Mr. C. Davis be excused from voting;

Which motion did not prevail.

Mr. C. Davis then voted as recorded above.

Mr. Childs moved that Mr. Gregory be excused from voting;  
Which motion did not prevail.

Mr. Gregory then voted as recorded above.

The concurrent resolution was then adopted.

The committee on ways and means, by unanimous consent, submitted the following report:

The committee on ways and means, to whom was referred Senate bill, entitled

A bill to provide for the relief and support of the families and those dependent on volunteers enlisted in the service of the State and the United States, for the suppression of the present insurrection and rebellion against the government of the United States,

Respectfully report the same back to the House, and recommend that the bill be referred to the committee on State affairs, and ask to be discharged from the further consideration of the same.

JAMES F. JOY, *Chairman*.

Report accepted and committee discharged.

The recommendations of the committee were concurred in, and the bill was referred to the committee on State affairs.

Mr. Lockwood offered the following :

*Resolved*, That the Clerk of this House be instructed to

request the Secretary of the Senate to transmit to this House any special executive messages in his possession that have not been sent to this House ;

Which was adopted.

By unanimous consent, the committee on ways and means submitted the following report :

The committee on ways and means, to whom was referred

A bill to authorize the Board of State Auditors to allow claims of State officers in certain cases,

Have considered the same, and have instructed me to report the same back to the House, and recommend its passage:

J. F. JOY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cutcheon,

The rules were suspended, and the bill put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

#### YEAS.

Mr. Adams,  
Alexander,  
Beamer,  
Blackslee,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cook,  
Cooley,  
Cox,  
Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,

Mr. Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,

Mr. Pringle,  
Ramsdell,  
Rankin,  
Read,  
Sessions,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,

Foote,  
 Fowle,  
 Gilbert,  
 Goodrich,

Peters,  
 Phelps,  
 Piper,  
 Pratt,

Winans,  
 Woodman,  
 Wright,  
 Speaker,

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NAYS.

9

Title agreed to:

On motion of Mr. Alexander,

By a vote of two-thirds of all the member elect, the bill was ordered to take immediate effect.

Mr. Pringle, by unanimous consent, offered the following:

*Resolved*, (if the Senate concur,) That 1,000 unbound pamphlets containing all the acts of general importance passed at this session, be printed for the use of the officers and members of the Senate and House, and that the same be equally distributed, as soon as may be, among such officers and members, by the contractor for State printing, by sending the same by mail, post paid, to the the postoffice address of such officers and members.

On motion of Mr. Howell,

The rule was suspended requiring concurrent resolutions to lay over for one day.

The resolution was then adopted.

By unanimous consent, the committee on public lands submitted the following report :

The committee on public lands, to whom was referred

A bill to extend the time to locate the twenty-five thousand acres of swamp land donated to the German American Seminary of the city of Detroit,

Report that they have had the same under consideration, report it back to the House without amendment, recommend its passage, and ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

J. C. WATERBURY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Childs,

The rules were suspended, and the bill put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|            |                  |                |
|------------|------------------|----------------|
| Mr. Adams, | Mr. A. L. Green, | Mr. Ramsdell,  |
| Alexander, | Hadley,          | Rankin,        |
| Beamer,    | Haire,           | Read,          |
| Blakeslee, | Henderson,       | Sessions,      |
| Brownell,  | Hemingway,       | Shanahan,      |
| Chase,     | Hill,            | Smith,         |
| Childs,    | Hodges,          | W. N. Stevens, |
| Choate,    | Hood,            | A. Stevens,    |
| Chapoton,  | Howell,          | Stewart,       |
| Cook,      | Hurd,            | Stoddard,      |
| Cox,       | Joy,             | Taylor,        |
| Orego,     | Kanouse,         | Tibbits,       |
| Cutcheon,  | Kelsey,          | Wade,          |
| C. Davis,  | Lockwood,        | Wallin,        |
| Ira Davis, | Miller,          | Waterbury,     |
| Douglas,   | Morrison,        | Wetherby,      |
| Fallass,   | Moore,           | Wheeler,       |
| Follett,   | Persons,         | T. M. Wilson,  |
| Foote,     | Peters,          | J. B. Wilson,  |
| Fowle,     | Phelps,          | Woodman,       |
| Gilbert,   | Piper,           | Wright,        |
| Goodrich,  | Pratt,           | Speaker,       |
| Gregory,   | Pringle,         |                |

68.

## NAYS.

|              |             |             |
|--------------|-------------|-------------|
| Mr. Atwood,  | Mr. Leetch, | Mr. Winans, |
| Cooley,      | Strong,     | Woodward,   |
| A. W. Davis, |             |             |

7.

Pending the announcement of the vote,

Mr. Childs moved that Mr. Lockwood be excused from voting;

Which motion did not prevail.

Mr. Lockwood then voted as recorded above.

Mr. Cooley moved that Mr. A. W. Davis be excused from voting ;

Which motion did not prevail.

Mr. A. W. Davis declining to vote,

Mr. Hill moved that the vote by which the House refused to excuse Mr. A. W. Davis from voting, be reconsidered ;

Which motion did not prevail.

Mr. Morrison moved that the Speaker be requested to direct the Sergeant-at-Arms to bring Mr. A. W. Davis before the bar of the House for contempt.

Mr. Atwood demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

#### YEAS.

|            |                  |                |
|------------|------------------|----------------|
| Mr. Adams, | Mr. A. L. Green, | Mr. Pringle,   |
| Alexander, | Hadley,          | Read,          |
| Beamer,    | Henderson,       | Sessions,      |
| Brownell,  | Hemingway,       | Smith,         |
| Bunce,     | Hood,            | W. N. Stevens, |
| Chase,     | Howell,          | A. Stevens,    |
| Childs,    | Joy,             | Stoddard,      |
| Cook,      | Kanouse,         | Tibbits,       |
| Cooley,    | Kelsey,          | Wallin,        |
| Cutcheon,  | Leetch,          | Waterbury,     |
| Fallass,   | Morrison,        | T. M. Wilson,  |
| Follett,   | Peters,          | J. B. Wilson,  |
| Foote,     | Phelps,          | Woodward,      |
| Gregory,   | Pratt,           |                |

41

#### NAYS.

|              |           |              |
|--------------|-----------|--------------|
| Mr. Atwood,  | Mr. Hill, | Mr. Stewart, |
| Blakeslee,   | Hodges,   | Strong,      |
| Choate,      | Hurd,     | Taylor,      |
| Cox,         | Lockwood, | Wade,        |
| Crego,       | Miller,   | Warner,      |
| C. Davis,    | Moore,    | Wetherby,    |
| Ira Davis,   | Persons,  | Wheeler,     |
| Douglas,     | Piper,    | Winans,      |
| Fowle,       | Ramsdell, | Woodman,     |
| Gilbert,     | Rankin,   | Wright,      |
| Goodrich,    | Shanahan, | Speaker,     |
| N. K. Green, |           |              |

34

Mr. A. W. Davis expressing a willingness to vote,

Mr. Joy moved that Mr. A. W. Davis be permitted to vote, and that all further proceedings under the cause of contempt be dispensed with;

Which motion prevailed.

Mr. A. W. Davis then voted as recorded above.

The title of the bill was then agreed to.

By unanimous consent, the committee on State affairs submitted the following report :

The committee on State affairs, to whom was referred Senate bill, entitled

A bill to provide for the relief and support of the families and those dependent on volunteers enlisted in the service of the State and United States, for the suppression of the present insurrection and rebellion against the Government of the United States,

Have had the same under consideration, and have instructed me to report the same back to the House with a recommendation that it do not pass, inasmuch as a bill for a like purpose has already passed the House, and is now in the possession of the Senate, which, in the opinion of your committee, is much better calculated to effect the object desired, and will result more advantageously to those persons for whose benefit it is intended.

A. H. MORRISON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Howell,

The rules were suspended, and the bill put upon its immediate passage.

The bill was then read a third time, and a majority of all the members elect not voting therefor, was not passed, by yeas and nays as follows:

#### YEAS.

Mr. Cutcheon,

1

#### NAYS.

Mr. Adams,  
Alexander,  
Atwood,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,

Mr. N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,

Mr. Ramsdell,  
Rankin,  
Read,  
Sessions,  
Shanahan,  
Smith,  
W. N. Stevens,  
Stewart,

Childs,  
Choate,  
Cook,  
Cox,  
Crego,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,

Howell,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Phelps,  
Piper,  
Pratt,  
Pringle,

Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Wade,  
Wallin,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

73

## MESSAGE FROM THE GOVERNOR

By unanimous consent, the Speaker announced the following:

EXECUTIVE OFFICE, }  
Lansing, May 9, 1861. }

*To the Legislature:*

I am informed by the Executive Committee of the State Agricultural Society, that that organization will not be able to sustain itself much longer, without some aid from the State. This has heretofore been usual; but for some reason the Legislature failed, at its regular session, to make any appropriation for that object. Thinking it of importance that the Society should be sustained, I venture to recommend an appropriation, such as your judgment may approve, to relieve the Society from its embarrassments.

AUSTIN BLAIR.

On motion of Mr. Tibbits,

The message was referred to the committee on ways and means, with instructions to report forthwith.

The committee on ways and means reported as follows:

A majority of the committee of ways and means, to whom was referred the message of the Governor, recommending an appropriation for the benefit of the Michigan State Agricultural Society, have had the same under consideration, and have



instructed me to report a bill making an appropriation of one thousand dollars for the years 1861 and 1862, for that purpose, according to the recommendation of the Governor, and recommend that it do pass.

JAS. F. JOY, *Chairman*.

Report accepted and committee discharged.

The bill was read a first and second time by its title.

Mr. Cutcheon moved that the rules be suspended, and that the bill be put upon its immediate passage.

Mr. Cooley demanded the yeas and nays, on the motion to suspend the rules.

The demand was not seconded.

The motion to suspend the rules prevailed.

The bill was then read a third time and passed, two-thirds of of all the members elect voting therefor, by yeas and nays as follows:

#### YEAS.

|              |                  |                |
|--------------|------------------|----------------|
| Mr. Adams,   | Mr. N. K. Green, | Mr. Pratt,     |
| Beamer,      | Haire,           | Pringle,       |
| Bunce,       | Henderson,       | Rankin,        |
| Childs,      | Hemingway,       | Read,          |
| Choate,      | Hill,            | Sessions,      |
| Chapoton,    | Hodges,          | Shanahan,      |
| Cook,        | Howell,          | W. N. Stevens, |
| Crego,       | Hurd,            | A. Stevens,    |
| Cutcheon,    | Joy,             | Stewart,       |
| A. W. Davis, | Kelsey,          | Stoddard,      |
| Ira Davis,   | Leetch,          | Strong,        |
| Douglas,     | Lockwood,        | Tibbits,       |
| Fallass,     | Miller,          | Wade,          |
| Follett,     | Morrison,        | Wallin,        |
| Foote,       | Moore,           | Waterbury,     |
| Gilbert,     | Persons,         | Wheeler,       |
| Goodrich,    | Peters,          | J. B. Wilson,  |
| Gregory,     | Phelps,          | Winans,        |
| A. L. Green, | Piper,           | Woodward,      |

57

#### NAYS.

|                |               |               |
|----------------|---------------|---------------|
| Mr. Alexander, | Mr. C. Davis, | Mr. Wetherby, |
| Blakeslee,     | Hadley,       | T. M. Wilson, |
| Brownell,      | Kanouse,      | Wright,       |

Chase,  
Cooley,

Smith,  
Taylor,

Speaker,

14

Title agreed to.

On motion of Mr. Taylor,

The House adjourned until to-morrow morning at 9 o'clock.

*Lansing, Friday, May 10, 1861.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called : quorum present.

Absent at roll call, Mr. Toll.

Mr. Warner asked and obtained leave of absence for Mr. Toll for the day, on account of sickness.

MESSAGE FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER,  
*Lansing, May 10, 1861.* }

*To the Speaker of the House of Representatives :*

I have the honor to transmit to the House the following message of the Governor, communicated to the Senate on the 9th instant :

Very respectfully,  
A. B. TURNER,

MESSAGE FROM THE GOVERNOR.

*Secretary of the Senate.*  
EXECUTIVE OFFICE, }  
*Lansing, May 9, 1861.* }

*To the Legislature :*

It is represented to me that the act passed at your late regular session, to incorporate the city of Pontiac, provided that the same should take effect on the thirtieth day of March ; but by a mistake of the enrolling clerk that section was omitted. An election has however been held, on the supposition that the act was properly enrolled. It is asked that this error may be

corrected, and the election legalized. This seems to be important, and I recommend it accordingly.

I enclose herewith resolutions of the Common Council of the city of Detroit, for an amendment of the city charter, to supply an omission in the act of your late session, whereby the powers of city constables and director of the poor were omitted, which I also recommend.

I also transmit the letter of Arnold Kaicher, requesting, on behalf of the trustees of the German-American Seminary, an extension of the time for the selection of their lands, under the act of your last session, which I also recommend.

AUSTIN BLAIR.

The message was laid on the table.

Mr. Joy, by unanimous consent, offered the following :

*Resolved*, (the Senate concurring,) That a joint committee, consisting of five members of the Senate, and eight of the House, be appointed to prepare an Address to the people of the State, explaining the character of the bonds to be issued for the war loan, made to enable Michigan to take its place by the side of all loyal States, and do its full duty in sustaining the government of the country in the present emergency, and recommending and setting forth the reasons why the bonds should be taken by citizens of this State.

*Resolved*, That the President of the Senate and the Speaker of the House be members of said committee.

On motion of Mr. Childs,

The rule requiring concurrent resolutions to be laid on the table for one day was suspended, and the resolution put upon its passage.

The question being upon the passage of the resolution,

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the resolution was adopted, by yeas and nays, as follows:

YEAS.

Mr. Adams,  
Alexander,  
Atwood,

Mr. Gregory,  
A. L. Green,  
N. K. Green,

Mr. Ramsdell,  
Rankin,  
Read,

Baker,  
 Beamer,  
 Blakelee,  
 Brownell,  
 Bunce,  
 Chase,  
 Childs,  
 Choate,  
 Chapóton,  
 Cook,  
 Cooley,  
 Cox,  
 Crego,  
 Cutcheon,  
 A. W. Davis,  
 C. Davis,  
 Ira Davis,  
 Douglas,  
 Fallas,  
 Follett,  
 Foote,  
 Fowle,  
 Gilbert,  
 Goodrich,

Hadley,  
 Haire,  
 Henderson,  
 Hemingway,  
 Hill,  
 Hodges,  
 Hood,  
 Howell,  
 Jones,  
 Joy,  
 Kanouse,  
 Kelsey,  
 Leetch,  
 Lockwood,  
 Miller,  
 Morrison,  
 Moore,  
 Persons,  
 Peters,  
 Phelps,  
 Piper,  
 Pratt,  
 Pringle,

Sessions,  
 Shank,  
 Shanahan,  
 Smith,  
 W. N. Stevens,  
 A. Stevens,  
 Stewart,  
 Stoddard,  
 Strong,  
 Taylor,  
 Tibbits,  
 Wade,  
 Wallin,  
 Waterbury,  
 Wetherby,  
 Wheeler,  
 T. M. Wilson,  
 J. B. Wilson,  
 Winans,  
 Woodman,  
 Woodward,  
 Wright,  
 Speaker,

79

NAYS.

0

Mr. Cooley, by unanimous consent, introduced a joint resolution, entitled

Joint resolution to raise the Chippewa regiment of volunteers.

Mr. J. B. Wilson moved to lay the joint resolution on the table;

Which motion did not prevail.

Mr. Sessions moved to refer the joint resolution to the committee on militia;

Mr. Phelps moved to refer the joint resolution to the select joint committee on the part of the House,

Which was accepted by the mover.

The motion then prevailed, and the joint resolution was so referred.

By unanimous consent, the committee on judiciary submitted the following report:

The committee on judiciary, to whom was referred the following named bills, viz:

A bill relative to the city of Pontiac;

Also,

A bill to amend an act entitled an act to amend an act to revise the charter of the city of Detroit, approved February 5, 1857, approved March 12, 1861;

Respectfully report that they have considered the same and respectfully report the same back to the House with the recommendation that same do severally pass, and ask to be discharged.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Childs,

The rule requiring the third reading of bills to be on a different day from that in which they are reported from a committee was suspended for the day.

The bills reported by the judiciary committee were then put upon their immediate passage.

Senate bill, entitled

A bill relative to the city of Pontiac,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as as follows:

YEAS.

|            |               |                |
|------------|---------------|----------------|
| Mr. Adams, | Mr. Goodrich, | Mr. Ramsdell,  |
| Alexander, | Gregory,      | Rankin,        |
| Atwood,    | A. L. Green,  | Read,          |
| Baker,     | N. K. Green,  | Sessions,      |
| Beamer,    | Hadley,       | Shank,         |
| Blakeslee, | Haire,        | Shanahan,      |
| Brownell,  | Henderson,    | Smith,         |
| Bunce,     | Hemingway,    | W. N. Stevens, |
| Chase,     | Hill,         | A. Stevens,    |
| Childs,    | Hodges,       | Stewart,       |
| Choate,    | Hood,         | Stoddard,      |
| Chapoton,  | Hurd,         | Strong,        |
| Cook,      | Jones,        | Taylor,        |
| Cooley,    | Joy,          | Tibbits,       |
| Cox,       | Kanouse,      | Wade,          |
| Crego,     | Kelsey,       | Wallin,        |
| Cutcheon,  | Leetch,       | Waterbury,     |

A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglass,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,

Lockwood,  
Miller,  
Moore,  
Persons,  
Peters,  
Phelps,  
Piper,  
Pratt,

Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,  
Speaker,

76

## NAYS.

Mr. Howell,

1

Title agreed to.

On motion of Mr. Cooley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill, entitled

A bill to amend an act entitled an act to amend an act entitled an act to revise the charter of the city of Detroit, approved February 5th, 1857, approved March 12th, 1861,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Adams,  
Alexander,,  
Atwood,  
Baker,  
Beamer,  
Blakeslee,  
Brownell,  
Bunce,  
Chase,  
Choate,  
Chapoton,  
Cox,  
Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglass,  
Fallass,  
Follett,  
Foote,

Mr. Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Haire,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Jones,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Persons,  
Peters,  
Phelps,

Mr. Rankin,  
Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Wade,  
Wallin,  
Waterbury,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodman,

|           |           |           |    |
|-----------|-----------|-----------|----|
| Fowle,    | Piper,    | Woodward, |    |
| Gilbert,  | Pratt,    | Wright,   |    |
| Goodrich, | Ramsdell, | Speaker,  | 72 |
|           | NAYS.     |           | 0  |

Title agreed to.

On motion of Mr. Lockwood,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

By unanimous consent, the committee on judiciary submitted the following report:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to amend section 1, of chapter 179, of the compiled laws, in relation to treason,

Respectfully report, that they have considered the same, and report the same back to the House with the recommendation that it do not pass, and ask to be discharged from the further consideration thereof.

THOS. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pratt,

The bill was laid on the table.

Mr. Adams, by unanimous consent, offered the following:

*Resolved*, (the Senate concurring,) That the Secretary of State is hereby authorized and required to forward, post-paid, to the post-office address of each of the members and officers of this Legislature, the back numbers of the journals of this session of the Legislature.

On motion of Mr. Adams,

The rule requiring a concurrent resolution to lay over for one day, was suspended.

The resolution was then passed.

By unanimous consent, the following report was submitted :

The committee to whom was referred

A joint resolution for the organization of a regiment of Chipewa Indians,

Have considered the same, and have instructed me to report that, in their judgment, this State has no authority to employ the Indians in the capacity in which they desire to be employed, viz: as scouts, without the call of the President, and that the people of this State who are pressing to be employed in the defence of the government, will not consent to the organization of a regiment, when the probability is that only a few regiments will be called for from this State. For these and other reasons, they report the resolution back, and recommend that it do not pass.

J. F. JOY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. A. W. Davis,

The joint resolution was laid on the table.

The Speaker called Mr. Sessions to the chair.

Mr. Morrison moved that the House take a recess for fifteen minutes;

Which motion did not prevail.

On motion of Mr. Gilbert,

The House took a recess until 11 o'clock, A. M.

11 o'clock A. M.

The House re-assembled at 11 o'clock A. M., and was called to order by the Speaker *pro tem.*

Roll called: quorum present.

MESSAGE FROM THE SENATE.

By unanimous consent, the Speaker *pro tem.* announced the following:

SENATE CHAMBER,  
Lansing, May 10, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bill:

A bill to provide for the relief, by counties, of the families of volunteers mustered from this State into the military service of the United States or of this State,



Which the Senate have amended as follows:

Section 1, line 8, strike out the word "one" and insert "four;"

In the passage of which, as amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take effect on the 15th day of June next, by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Taylor moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

|              |               |               |
|--------------|---------------|---------------|
| Mr. Adams,   | Mr. Goodrich, | Mr. Pringle,  |
| Alexander,   | A. L. Green,  | Rankin,       |
| Baker,       | N. K. Green,  | Read,         |
| Beamer,      | Hadley,       | Sessions,     |
| Blakeslee,   | Haire,        | Shank,        |
| Brownell,    | Henderson,    | Shanahan,     |
| Bunce,       | Hill,         | Smith,        |
| Chase,       | Hodges,       | Stewart,      |
| Choate,      | Hood,         | Stoddard,     |
| Chapoton,    | Howell,       | Strozz,       |
| Cook,        | Hurd,         | Taylor,       |
| Cooley,      | Jones,        | Tibbits,      |
| Cox,         | Joy,          | Wade,         |
| Crego,       | Kanouse,      | Wallin,       |
| Cutcheon,    | Kelsey,       | Warner,       |
| A. W. Davis, | Leetch,       | Waterbury,    |
| Ira Davis,   | Lockwood,     | Wheeler,      |
| Douglas,     | Miller,       | T. M. Wilson, |
| Fallass,     | Morrison,     | J. B. Wilson, |
| Follett,     | Moore,        | Winans,       |
| Footte,      | Persons,      | Woodman,      |
| Fowle,       | Peters,       | Woodward,     |
| Gilbert,     | Pratt,        | Wright,       |

69

NAYS.

0

The question being upon concurring in the action of the Senate, in ordering the bill to take effect on the fifteenth day of June next,

Mr. Pringle moved to strike out the word "fifteenth," and insert "first" in lieu thereof;

Which motion prevailed, and

On motion of Mr. Pringle,

By a vote of two-thirds of all the members elect the bill was ordered to take effect on the first day of June next.

Mr. Gregory offered the following :

*Resolved*, That the thanks of this House are hereby tendered to the Hon. Dexter Mussey, the Speaker, for the prompt, dignified and impartial manner in which he has presided over its deliberations during the present session ;

Which was adopted unanimously.

Mr. Fowle moved that there be a call of the House;

Which motion did not prevail.

MESSAGES FROM THE SENATE.

By unanimous consent, the Speaker *pro tem.* announced the following :

SENATE CHAMBER,  
Lansing, May 10, 1861. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to return to the House the following entitled bill:

A bill to provide for the relief, by counties, of the families of volunteers mustered from this State into the military service of the United States, or of this State,

And inform the House that the Senate have concurred in the action of the House giving said bill effect on the 1st day of June next.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following :

SENATE CHAMBER,  
Lansing, May 10, 1861. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to re-return to the House the following entitled bill:

A bill to provide a tax for the interest on the war loan,

And to inform the House that the Senate has concurred in its further amendment thereto.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following:

SENATE CHAMBER,  
Lansing, May 10, 1861. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following entitled bill:

A bill to make an appropriation to aid the Michigan State Agricultural Society,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

Also the following:

SENATE CHAMBER,  
Lansing May 10, 1861. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved,* (the Senate and House of Representatives concurring,) That the five dollars authorized by the Constitution to

be paid each member for stationery, be paid to each member by the State in one copy of the compiled laws of this State.

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

Mr. Tibbits moved that the concurrent resolution be indefinitely postponed;

Mr. Tibbits demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

YEAS.

|                |            |                |
|----------------|------------|----------------|
| Mr. Alexander, | Mr. Haire, | Mr. Piper,     |
| Baker,         | Henderson, | Pringle,       |
| Beamer,        | Hodges,    | Ramsdell,      |
| Bunce,         | Hurd,      | Rankin,        |
| Choate,        | Joy,       | Sessions,      |
| Crego,         | Kanouse,   | Shank,         |
| Fallass,       | Lockwood,  | W. N. Stevens, |
| Gilbert,       | Moore,     | Tibbits,       |
| N. K. Green,   | Peters,    | Waterbury,     |

NAYS.

|              |               |               |
|--------------|---------------|---------------|
| Mr. Adams,   | Mr. Goodrich, | Mr. Smith,    |
| Atwood,      | Gregory,      | A. Stevens,   |
| Blakeslee,   | A. L. Green,  | Stoddard,     |
| Brownell,    | Hadley,       | Strong,       |
| Childs,      | Hill,         | Taylor,       |
| Chapoton,    | Hood,         | Wade,         |
| Cook,        | Howell,       | Wallin,       |
| Cooley,      | Jones,        | Warner,       |
| Cutcheon,    | Kelsey,       | Wetherby,     |
| A. W. Davis, | Leetch,       | Wheeler,      |
| C. Davis,    | Miller,       | T. M. Wilson, |
| Ira Davis,   | Morrison,     | J. B. Wilson, |
| Douglas,     | Persons,      | Winans,       |
| Follett,     | Phelps,       | Woodman,      |
| Foote,       | Pratt,        | Woodward,     |
| Fowle,       | Read,         | Wright,       |

Mr. Howell moved to amend the resolution by adding thereto

the words, "or take an order for the same, as each member may elect;"

Mr. Atwood demanded the yeas and nays.

The demand was seconded.

Mr. Pratt demanded the previous question.

The demand was sustained, and the main question ordered.

The amendment was not adopted, by yeas and nays, as follows :

## YEAS.

Mr. Howell,

1

## NAYS.

Mr. Adams,  
Alexander,  
Atwood,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Childs,  
Choate,  
Chapoton,  
Cook,  
Cooley,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,

Mr. A. L. Green,  
N. K. Green,  
Hadley,  
Haine,  
Henderson,  
Hill,  
Hodges,  
Hood,  
Hurd,  
Jones,  
Joy,  
Kanouise,  
Kelsey,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,

Mr. Rankin,  
Read,  
Sessions,  
Shank,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
Winans,  
Woodman,  
Woodward,  
Wright,

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The question recurring upon the adoption of the resolution, it was not adopted, by yeas and nays, as follows :

## YEAS.

Mr. Atwood,  
Cooley,

Mr. Follett,  
Hadley,

Mr. Stewart,

5

## NAYS.

|              |                  |                |
|--------------|------------------|----------------|
| Mr. Adams,   | Mr. A. L. Green, | Mr. Rankin,    |
| Alexander,   | N. K. Green,     | Sessions,      |
| Baker,       | Haire,           | Shank,         |
| Beamer,      | Henderson,       | Smith,         |
| Blakeslee,   | Hill,            | W. N. Stevens, |
| Brownell,    | Hodges,          | A. Stevens,    |
| Bunce,       | Howell,          | Stoddard,      |
| Childs,      | Hurd,            | Strong,        |
| Choate,      | Jones,           | Taylor,        |
| Chapoton,    | Joy,             | Tibbits,       |
| Cook,        | Kanouse,         | Wade,          |
| Crego,       | Kelsey,          | Wallin,        |
| Cutcheon,    | Lockwood,        | Warner,        |
| A. W. Davis, | Miller,          | Waterbury,     |
| C. Davis,    | Morrison,        | Wetherby,      |
| Ira Davis,   | Moore,           | Wheeler,       |
| Douglas,     | Persons,         | T. M. Wilson,  |
| Fallase,     | Peters,          | J. B. Wilson,  |
| Foote,       | Phelps,          | Winans,        |
| Fowle,       | Piper,           | Woodman,       |
| Gilbert,     | Pratt,           | Woodward,      |
| Goodrich,    | Pringle,         | Wright,        |

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The Speaker resumed the Chair.

Mr. Pratt offered the following:

*Resolved*, That a committee, of eight members of the House, with Mr. Joy as chairman, be appointed to prepare and issue an address to the people of the State, explaining the character of the bonds to be issued for the war loan, made to enable Michigan to take its place by the side of all loyal States, and do its full duty in sustaining the government of the country in the present emergency, and recommending and setting forth the reasons why the bonds should be taken by citizens of this State.

*Resolved*, That the Speaker of the House be added to the committee ;

Which was adopted.

The Speaker announced Messrs. Joy, Gregory, Moore, Morrison, Douglas, Sessions, Gilbert and Rankin, as such committee.

Mr. Morrison offered the following:

*Resolved*, That the thanks of this House are due and they are

hereby tendered to the Clerks and other officers of the House, for the faithful and impartial manner in which they have discharged the duties involving upon them in their several stations;

Which was adopted.

Mr. Alexander offered the following:

*Resolved*, That the thanks of this House be and they are hereby tendered to the clergymen of the city of Lansing, for their services rendered during the present session of this Legislature;

Which was adopted.

Mr. Wallin offered the following:

*Resolved*, That Mr. E. B. Brigham, Assistant Sergeant-at-Arms, be invited to come forward, and lead in singing "the Star Spangled Banner," before the adjournment of this Legislature;

Which was adopted.

A chapter in the Scriptures was then read by Rev. Mr. Vibbert, and a prayer and benediction delivered by Rev. Mr. Meyer.

The members and officers of the House then arose, and all united in singing, in a very spirited manner, our National Anthem,

### THE STAR SPANGLED BANNER.

#### I.

O say, can you see, by the dawn's early light,  
What so proudly we halled at the twilight's last gleaming;  
Whose broad stripes and bright stars, through the perilous fight,  
O'er the ramparts we watched, were so gallantly streaming?  
And the rocket's red glare, the bombs bursting in air,  
Gave proof through the night that our flag was still there.  
O say, does that Star Spangled Banner yet wave  
O'er the land of the free and the home of the brave?

#### II.

On that shore dimly seen through the mists of the deep,  
Where the foe's haughty host in dread silence reposes,  
What is that which the breeze, o'er the towering steep,  
As it fitfully blows, now conceals, now discloses?  
Now it catches the gleam of the morning's first beam,  
In full glory reflected now shines in the stream,  
'Tis the Star Spangled Banner; O long may it wave  
O'er the land of the free and the home of the brave!

#### III.

And where are the foes who so vauntingly swore  
That the havoc of war, and the battle's confusion,  
A home and a country should leave us no more?  
Their blood has washed out their foul footsteps' pollution.  
No refuge could save the hireling and slave  
From the terror of flight, or the gloom of the grave;  
And the Star Spangled Banner in triumph doth wave,  
O'er the land of the free and the home of the brave!

## IV.

O thus be it ever when freemen shall stand  
 Between their loved homes and the war's desolation.  
 Blest with victory and peace, may the heav'n rescued land  
 Praise the Power that hath made and preserved us a nation!  
 Then conquer we must, when our cause it is just,  
 And this be our motto, "In God is our trust!"  
 And the Star Spangled Banner in triumph shall wave  
 O'er the land of the free and the home of the brave!

Three cheers were then given for the Constitution and the Union.

On motion of Mr. Childs,

The House adjourned until to-morrow morning at 9 o'clock.

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*Lansing, Saturday, May 11, 1861.*

The House met pursuant to adjournment and was called to order by the Speaker.

Roll called, and the following members answered to their names; Messrs. A. L. Green, Howell, Jones, Pratt, Rankin and T. M. Wilson.

#### REPORTS OF STANDING COMMITTEES.

The committee on engrossment and enrollment made the following report:

The committee on engrossment and enrollment report as correctly enrolled, signed and presented to the Governor, the following entitled bills:

A bill authorizing a war loan;

Also,

A bill to provide for the relief, by counties, of the families of volunteers mustered from this State into the military service of the United States, or of this State;

Also,

A bill to provide a tax for the interest on the war loan;

Also,

A bill to make an appropriation to aid the Michigan State Agricultural Society;

Also,

A bill to amend an act entitled an act to provide a military



force, approved March 16, 1861, and to add several sections thereto.

A. L. GREEN, *Chairman*.

Report accepted and committee discharged.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }  
Lansing, May 10, 1861. }

*To the Speaker of the House of Representatives:*

I have approved and deposited in the office of the Secretary of State the following acts:

An act to provide for the relief, by counties, of the families of volunteers mustered from this State into the military service of the United States, or of this State;

Also,

An act to make an appropriation to aid the Michigan State Agricultural Society;

Also,

An act to provide a tax for the interest on the war loan;

Also,

An act authorizing a war loan ;

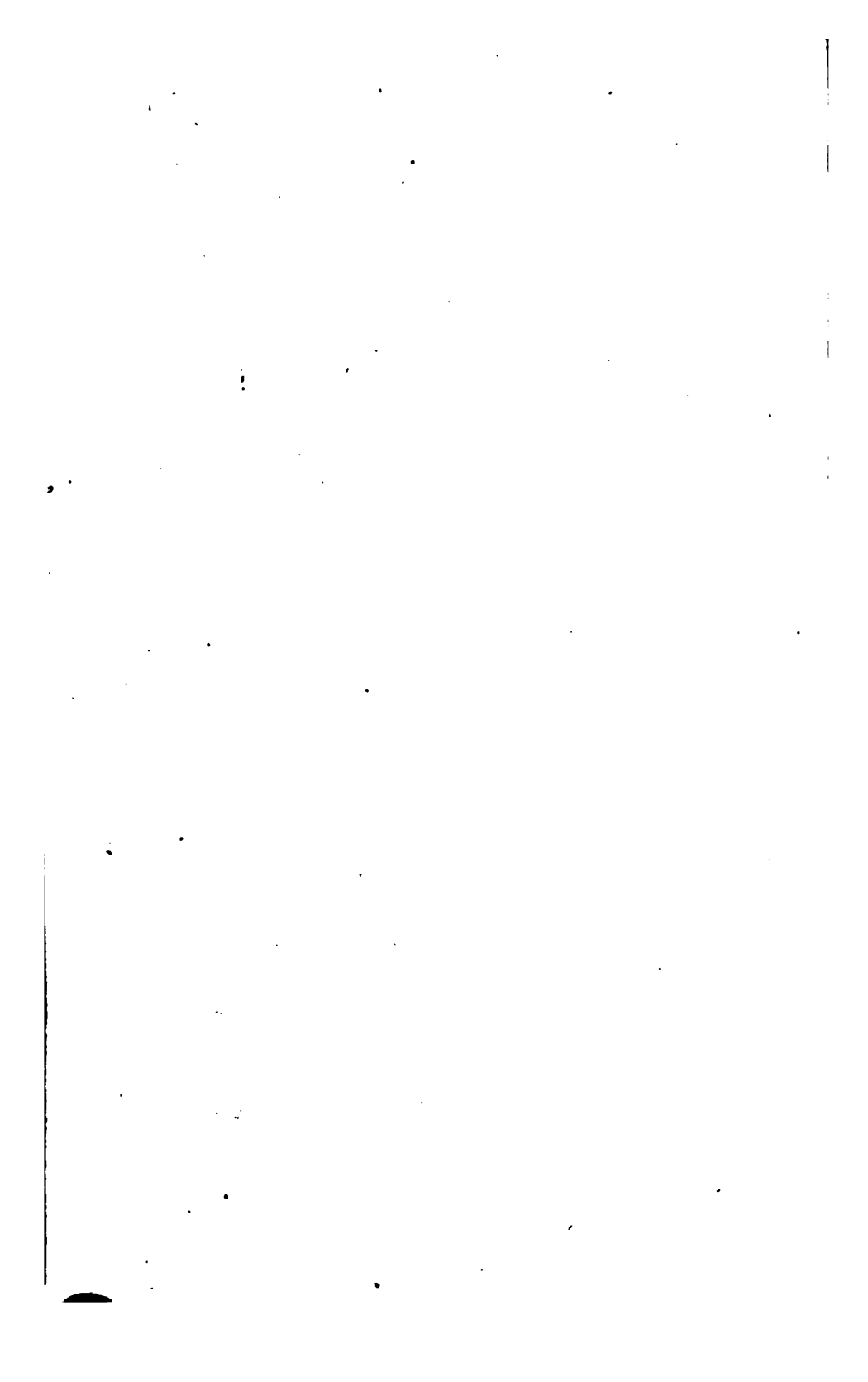
Also,

An act to amend an act entitled an act to provide a military force, approved March 16, 1861, and to add several sections thereto.

AUSTIN BLAIR.

The message was laid on the table.

No further business appearing, to be transacted, and the hour of 12 o'clock, noon, having arrived, the Speaker declared the House adjourned *sine die*.



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